LIBRARY OF CONGRESS.

BX 8237

Chap. Copyright No.

Shelf .H3

UNITED STATES OF AMERICA.

# METHODIST UNION,

## THREATENED IN 1844,

WAS

## FORMALLY DISSOLVED IN 1848

BY THE LEGISLATION OF DR. (AFTERWARD BISHOP) SIMPSON IN THE NORTHERN GENERAL CONFERENCE OF 1848, WHEREBY THE REUNION OF EPISCOPAL METHODISM WAS RENDERED FOREVER IMPOSSIBLE.

*But the legislation of 1848 having been annulled by the Highest Courts of the United States, and the Plan of Separation vindicated by the Supreme Law of the Land, the way may be opened to consider*

*A MORE EXCELLENT PLAN.*

BY W. P. HARRISON, D.D., LL.D.,
*Book Editor M. E. Church, South.*

13994X

NASHVILLE, TENN.:
PUBLISHING HOUSE METHODIST EPISCOPAL CHURCH, SOUTH.
BARBEE & SMITH, AGENTS.
1892.

THE LIBRARY
OF CONGRESS
WASHINGTON

BX8237
.H3

# PREFACE.

THE greater part of the matter contained in the following pages appeared in the *Quarterly Review*, under the caption: "Bishop Simpson as a Politician." The publication in book form has been called for by so many persons from every quarter of the Church that the author does not feel at liberty to deny the request.

In addition to the three articles published in the *Review*, several chapters have been included in this volume, as necessary to the adequate presentation of the case. To the Church, South, and to all fair-minded people who may be interested in this discussion, these pages are committed by THE AUTHOR.

COPYRIGHT, 1892.

# CONTENTS.


CHAPTER I. PAGE

A Grave Charge—Mr. Calhoun Following Methodist Leaders—Fallacy of the Statement—The Constitution Protected African Slavery—Missouri Compromise—A Conciliatory Spirit—No Connection between the Division of 1844 and the War of 1861—Causes of the Separation in 1844—Bishop Andrew—Bishop Simpson votes for Division—Some Ancient History—Contrast between Massachusetts and Virginia—Admission of Louisiana a Cause of Trouble—Nullification in Massachusetts—Patriotism at a Discount in New England—The Clerical Politicians of New England—Hartford Convention Originates Nullification—New England Sentiment..... 9

CHAPTER II.

Sincerity of the North in 1844—Real Schism Threatened—Slur upon Dr. Winans—Bowen, of Georgia, *non est*—Bishop Andrew Explains His Position—Resolution Passed by the General Conference—Bishop Simpson Votes to Condemn Andrew—Declaration of Southern Delegates—Dr. Charles Elliott Moves a Committee of Nine—Dr. McFerrin's Motion—Committee Reports—Bishop Simpson Approves the Report—Votes for Separation—Five Northern and Four Southern Men on the Committee—Every Member but One Votes for the Plan of Separation—Sudden Change—The Plan of Separation Becomes a Plan for Secession!..... 37

CHAPTER III.

New England Leads the General Conference—Bishop Andrew Not Allowed to Preside in New England—Mr. Wesley's Testimony on One Subject Applied to Another—John Street Church, New York, a Slaveholder—Mr.

PAGE

Whitefield—Increasing Agitation—Antecedents of the Puritans—First Slave-ship Built in New England—First Speculators in Human Flesh—An Entire Colony in the Slave-trade—Cheapness of Slave Labor—Eliot Remonstrates—Indian Captives Sold as Slaves and Shipped Abroad—Barbarous Treatment of Slaves in New England—Legal *Status* of Slavery in Massachusetts—First Law Recognizing Slavery—Virginia Abolishes the Slave-trade before Massachusetts—First Argument Against the Slave-trade—Petition of the Negroes in Massachusetts Disregarded..... 52

CHAPTER IV.

No Free State in 1790—Tinkering with the Census—Humiliating Statement—Disappearance of the Negroes—Advertisements of Slaves for Sale in Boston—Sources of New England Ideas—Slavery Never Abolished in Massachusetts—Owners Discouraged from Manumission—Pitiful Spectacle—Massachusetts and South Carolina Contrasted—Negroes Not Allowed to Exercise Useful Trades in Massachusetts in 1844—Negroes Banished from Massachusetts—Notice to Leave—Repeal of the Banishment Act—Agitation Begun—Bishop Emory—Agitation in Congress—Votes in the House of Representatives—Party Lines Foreshadowed—Morality of the Abolition Movement—Anecdote of the Elder Adams—*Status* of the Negro in Massachusetts in 1844—Dr. Simpson's State Petitions for African Slavery—Petition Denied and Renewed—John Randolph's Advice—Indiana Petition Again—Did Dr. Simpson Know These Things?—An Eloquent Bishop's Opportunity—Points Proved..... 72

CHAPTER V.

A Popular Error—No Connection between the Division in 1844 and the Civil War—Separation Tended to Allay Excitement—The South Sends a Fraternal Messenger—Rejected by the North—Struggle of 1861 Inevitable from the Beginning—Two Theories of Government: One Paternal, Monarchical, without Checks upon Legislation; the Other Republican, Limited by Constitutional Guards

PAGE
—Mr. Jefferson Defines the Principles of the Two Parties in 1798—Rules for Interpretation of the Federal Compact—Liberty of the Citizen—Mr. Jefferson's Political Creed—Virginia and Kentucky Resolutions, How Originated—French Arrogance and British Injustice—Alien and Sedition Laws—Liberty of the Person and of the Press Involved—Votes on the Two Bills—The South Against, New England in Favor of These Laws—Clear Demarkation of Party and Sectional Lines—Text of the Virginia Resolutions—Kentucky Resolutions, Written by Mr. Jefferson—Forwarded to the States—Replies.... 106

## CHAPTER VI.

Mr. Madison's Defense—"General Welfare" Clause an Open Door for Every Species of Legislation—Steam-engine and Industrial Revolution—Internal Improvements—Manufactures—New England Ceases to Be Commercial and Becomes Manufacturing—African Slavery Becomes a Serious Menace—Constitution Protected the Institution—Confessed to Be an Evil—Abolition Movements Coincident with New England's Defeat—Temporizing Influence—Infant Industries—Free Soilism—Disunion Orators and Their Sayings—Higher Law than the Constitution—The South Exasperated—The Disunion of the Church a Blessing—The South Conservative—New England Radical—Increased Territory Subsequent to 1844—New Occasions for Strife—Pressure upon the Conservative Men of 1844—Dr. Elliott Favors Separation in 1844, Calls it "Secession" in 1848—Beecher, Quincy, Phillips, and Others—Disunionism in New England—Agitation Increasing—Fears of the Torch and Dagger—Friendship for the Slave, Enmity to the Free Negro—Kansas, Nebraska, Oregon—Negroes Banished from Illinois—Conclusions Drawn by the South—The Sixth Restrictive Rule—Failure of the Argument Based upon It—Triumph of Federalism..... 132

## CHAPTER VII.

The Case of Canada—No Precedents Needed, but a Clear Case of "Dissolving the Union"—Memorials and Peti-

PAGE

tions from Canada—Constitutional Difficulties in the Way—No Vote on the Constitutional Question—Resolutions Giving Canada an Independent Church—Another Committee—Breakers Ahead—Division of Property in the Way—Dr. Fisk's Report Adopted—Property Question Ignored—Again before the Conference of 1832—A Plan of Settlement—Failure of the Plan—Remarkable Mode of Settlement—Doing in One Way What Was Refused in Another—Furnishing Capital without Cost—Same Principle Involved as Before—Curious Method of Buying Sunday-school Books—Power to Donate Property—Dr. Bangs Makes a Distinction without a Difference—All Church Organizations Voluntary—No Indissoluble Church Union—Church and State Idea—Other Churches—Abolitionism Condemned in 1836—Conference Careful to Put Itself Right—Action in 1840—Changes in 1844—Testimony of Distinguished Lawyers—Emancipation Impossible—Facts of Bishop Andrew's Case—Minister and Bishop Suspended for Not Doing Illegal Acts..... 162

CHAPTER VIII.

Bishop Soule Laments the Absence of Forethought—Charge of Secession an After-thought—Report of Committee on Organization at Louisville—Ruin to Southern Methodism Prevented—Conservative Influence of the Southern Church—Majority of 1844 Recognize the "Plan of Separation" as a Finality—Bishops Recognize the Division of the Church—Council of July, 1845—Bishop Morris Refuses to Aid Disruption—Declares the Contingency Transpired—Will Not Undertake a Course of Nullification—Leaves That to Editors—Bishops Know Their Duty Better—"Plan of Separation" Not to Be Voted Upon by the Annual Conferences—Only the Alteration of Sixth Restrictive Rule Submitted to Vote—Bishop Morris Present at Louisville in 1845—Opportunities to Know Southern Feeling and Sentiment..... 180

CHAPTER IX.

General Conference of 1848—No Southern Delegate Pres-

PAGE
ent—Baltimore the "Breakwater" Conference—Boundary Lines—Division of the Church Acknowledged—Dr. Pierce Present—His Letter to the Conference—Various Methods of Preparing to Reject Him—The Final Method—Ungenerous Treatment—Painful Exhibition of Party Feeling—No Fraternity with the South—Extraordinary Act—Pretended Infractions of the "Plan of Separation"—Excuses for Repudiation—Treatment of Bishop Soule—His Letter to the Conference—His Presence at Pittsburg Ignored..... 189

## CHAPTER X.

General Conference of 1848 a Remarkable Body—Determined to Repudiate the Work of 1844—Only Doubtful of the Means to Secure the End—Position of the South Not Understood—A Hopeless Case—Southern Delegates Did Not Refer the Plan of Separation to the Annual Conferences—Only the Change in Restrictive Rule Thus Referred—Assertion Without Proof—A Bold Statement—Two Statements by the Conference—Both Cannot Be True—Avoiding a Vote on the Reference—The Question of Dividing the Book Concern the Only Question Referred to the Vote of the Annual Conferences—Vote on the Restrictive Rule Divided the Property—Refusal to Divide the Property Did Not Annul the Plan for Dividing the Church—An Affirmative Vote Gave the South Her Share—A Negative Vote Denied the South Her Share—This Was the Only Effect of the Annual Conference Vote—South Made to Condition Church Organization upon Dividing the Property—False Position Becoming a Calumny—South Compelled to Sue in Order to Retain Her Own Possessions—Obscurity in the Returns of the Actual Vote—No Means of Ascertaining the Results Except Five Lines of a Report—No Records—Statement Contradicted—"Plan of Separation" Proves the Reference—Reasons for Repudiation—The Outcome Three Declarations—The Philosophy of Anarchy..... 207

## CHAPTER XI.

Dr. Simpson's Substitute—First Section Contradicts the

PAGE

"Plan of Separation"—Adopted—Deposition of Bishop Andrew Dissolved the Methodist Union—Absurdity of a Peace Offering—The South Only Needed One—The Border Did Not—Wisdom of This Generation—How to Hold the Border—Further Dependence—Second Section Adopted—Third Resolution Did Not Involve the Adoption of the Plan—Charge of Imbecility Against the Southern Delegates—Third Section Adopted—Was It an Intended Trap?—Fourth Section—Waiting for Ruin First, to Be Repaired Afterward—Action of Delegates after the Conference Adjourned—Objection to It a Pretext Only—Surprised Fanatics—Remembrances of 1844—Section Five Adopted—Question of Fact Which Has Only Assertion for Proof—Section Six Adopted—The Wolf Finds an Excuse for Eating the Lamb—Section Seven Adopted—Absolution Decree—A High Court for Annulling Compacts—Section Eight—Closing the Book of Pretexts—Kentucky Court of Appeals Upsets Dr. Simpson's Logic—Melancholy Attitude of a General Conference—Final Settlement of the Property Question—Decree of the United States Circuit Court for Southern District of New York—Final Award of the Supreme Court of the United States—The South Receives Her Portion—Courage of Dr. Crooks..... 224

CHAPTER XII.

STATISTICS OF THE CHURCHES..... 246

CHAPTER XIII.

THE FUTURE OF EPISCOPAL METHODISM..... 253

# BISHOP SIMPSON AS A POLITICIAN.

## CHAPTER I.

A Grave Charge—Mr. Calhoun Following Methodist Leaders—Fallacy of the Statement—The Constitution Protected African Slavery—Missouri Compromise—A Conciliatory Spirit—No Connection between the Division of 1844 and the War of 1861—Causes of the Separation in 1844—Bishop Andrew—Bishop Simpson votes for Division—Some Ancient History—Contrast between Massachusetts and Virginia—Admission of Louisiana a Cause of Trouble—Nullification in Massachusetts—Patriotism at a Discount in New England—The Clerical Politicians of New England—Hartford Convention Originates Nullification—New England Sentiment.

In a former notice of the "Life of Bishop Simpson" we have confessed our admiration for his life and character as a minister of the gospel and an eloquent expounder of the sacred oracles. If we were to pass in silence the record of political life and action, as it is given by his biographer, our silence might be construed into the admission that the grave indictment brought by Dr. Crooks against Southern Methodism is true. We read these pages of Dr. Crooks with great sorrow. They confirm us in the belief that the present generation of Northern Methodists are unable to state the issues of 1844 with common fairness. From

many sources in the North we could expect nothing less than an *ex parte* statement of the great struggle that ended in the division of the Methodist Episcopal Church. From Dr. Crooks we expected better things. How grievously we have been disappointed the following extract will show. Speaking of the General Conference of 1844, Dr. Crooks says:

> The events of this historic General Conference deserve to be dwelt upon from their connection with the event succeeding them: the struggle for the preservation of the national union. They had an important bearing, too, upon the life of Bishop Simpson; they formed a part of the preparatory training by which he was fitted for the service rendered by him to the country from 1861 to 1865. He was a witness of the first breaking of the bonds of the national union; for the claim of the inherent right of slavery to go anywhere in the Church, in the person of a slave-holding bishop, was followed by the claim of the right of slavery to go anywhere within the limits of the nation. Mr. Calhoun trod in the footsteps of the Southern Methodist leaders; what they demanded for slave-holding for Methodists he demanded for slave-holding as an American. The schism in the Church not only preceded in time, but led on to the greater schism: the attempt to create two nations out of one. What wearied Bishop Simpson was to witness the preliminary rehearsal of the struggle from 1861 to 1865. ("Life of Bishop Simpson," p. 232.)

We are at a loss to know what Dr. Crooks means by the statement that "Mr. Calhoun trod in the footsteps of the Southern Methodist leaders." Are we to understand that these leaders asserted the doctrine that a slave-holding bishop had the right to go, in the exercise of his functions, "anywhere in the Church," and that Mr. Calhoun asserted

that slave-holders had the right to carry their property in slaves into any part of the United States? Surely Dr. Crooks must know that more than twenty years before the General Conference of 1844, by a compact known as the Missouri Compromise, slavery, or involuntary servitude, was forever forbidden north of the line of thirty-six degrees, thirty minutes. It must be known to Dr. Crooks that the Missouri Compromise was the law of the land in 1844, and continued to be so until several years after the death of Mr. Calhoun. It must be known to Dr. Crooks that the repeal of the Missouri Compromise measure was caused by the agency of Stephen A. Douglas, a member of the United States Senate from Illinois. So far from accomplishing this repeal, many of the statesmen of the South saw in that action the opening of Pandora's box of evils and the hastening of that Civil War which had been threatened for more than fifty years.

It is only just to Dr. Crooks that we copy the foot-note which he appends to the sentence which precedes the strange assertion relating to Mr. Calhoun: "As to the free States, it was asserted that slavery had the right of protection when it was there in the person of slaves in transit; and as to the national Territories, that it had there the right of undisturbed occupation." This assertion was made beyond question, but why is it attributed to Mr. Calhoun? It is the language of the Constitution of the United States, adopted in 1787. Ar-

ticle IV., Section 2., paragraph 3, of the Constitution of the United States, says:

> No person, held to service or labor in one State under the laws thereof, escaping into another, shall in consequence of any law or regulation therein be discharged from such service or labor; but shall be delivered upon claim of the party to whom such service or labor may be due.

Here it is expressly declared that this property in slaves shall be "protected" against any "law or regulation" of any State in the Union, even when the fugitive appeals to the political opinion of a non-slave-holding public.

It is a strange confusion of ideas that attributes to the invention of "Southern Methodist leaders" a proposition that was incorporated into the organic law of the country, without which "protection" there would have been no federal union at all. The Constitution recognized property in slaves and enacted special safeguards for its protection; and Mr. Calhoun, prior to 1820, maintained the right of slave-holders to carry that property into any Territory of the United States except that portion which had been ceded by Virginia, in which slavery was prohibited as early as 1787. This Northwest Territory, out of which Ohio and other States were afterward formed, by an organic act of renunciation by a slave-holding State, was forever closed to the slave-holder and his property. Does Dr. Crooks maintain that, notwithstanding this act of Virginia and the Missouri Compromise act, Mr. Calhoun asserted the right of slave-holders to re-

side and to employ their slaves in any Territory north of thirty-six degrees and thirty minutes?

In 1848, four years after the division of the Church, and at the very time that the Northern General Conference were engaged in repudiating their solemn compact, Mr. Calhoun was one of the four Southern men appointed upon a committee in the Senate to make an amicable arrangement for the settlement of the slavery agitation. In order to secure peace and quietude, Mr. Calhoun and three other Southern men on the committee voted to extend the Missouri Compromise line to the Pacific Ocean. This gave the North five-sixths of the territory and nineteen-twentieths of the value acquired from Mexico. *Every Northern man on the committee voted against it!*

As a last resort to preserve the union of the States, Mr. Calhoun voted with a majority of the Senate to leave the whole question to the Supreme Court of the United States. The "Clayton Compromise" passed the Senate, but was defeated in the House of Representatives by a majority of fifteen; and twenty-seven members of the New England States voted against Mr. Calhoun and the peace measures of 1848! Thus, indeed, "Mr. Calhoun trod in the footsteps of Southern Methodist leaders."

"All things are possible" to the imagination of our Northern brethren when they take up the pen to instruct their readers concerning the great struggle of 1844. But really this feat of the learned

biographer of Bishop Simpson awakens our surprise and astonishment. Mr. Calhoun was in his grave when the Missouri Compromise was repealed and the territorial question was re-opened. He had been dead ten years before the first gun was fired in the Civil War, and what possible connection there can be between the act of deposing Bishop Andrew in 1844 and the brief subsequent career of Mr. Calhoun we cannot perceive. Doubtless that great statesman thought and felt as "the Southern Methodist leaders" thought and felt, that the act of deposing a man from the episcopal office, in the face of the admission that he had committed no offense against the laws of God or man, was a demonstration of the sorrowful truth that the time for the separation of Abraham and Lot had arrived.

With all due deference to the superior judgment of Dr. Crooks, we assert that we cannot see any connection whatever between the "claim" or the action of the Southern Methodist leaders in 1844 and the breaking out of the Civil War in 1861. We can as readily connect, in the chain of cause and consequence, the visit of Jesse Lee to Boston as a Methodist preacher with the secession conspiracy in New England that threatened the dissolution of the Union in 1808, or the later and more memorable proceeding of the Hartford Secession Convention in 1814. The extinction of the Methodist Church in the South would have been the inevitable consequence if the delegates from the slave-holding States had submitted to the deposi-

tion of Bishop Andrew simply because his wife was the owner of slaves that she could not emancipate. Whether the restraining cause in Mrs. Andrew's case was legal or moral, or merely a pecuniary one, the assertion that a Methodist bishop was disqualified for his ministerial functions because his wife had inherited a species of property recognized by the fundamental law of the land was a declaration that rendered the union of the Northern and Southern Conferences impossible.

We shall not imitate the example of Dr. Crooks. He has given his readers not merely an *ex parte* statement of the case, but he has injured his own cause by needlessly distorting and misrepresenting the facts of history. We propose to deal justly and fairly with our Northern brethren. We are prepared, even at this late day, to sympathize with the delegates from the four New England Conferences that precipitated the division of the Church in 1844. Dr. Crooks looks upon that division—"secession" he pleasantly calls it—as an unmitigated evil. We regard it as a happy event, one that had a tendency to postpone, not to hasten the period of the Civil War. We are prepared, in feeling, to exchange places with the Methodist station preacher in Boston. Our presence would not have been tolerated in the pulpit of Boston at that time; and had we been a pastor in our native city of Savannah, Ga., we certainly would have felt constrained to tell Brother Sandford or Brother George Pickering, if either of them had visited that city in 1844, that

we could not thrust a fire-brand into the community by asking the visitor to preach in our pulpit. But "our pulpit" is a small part of the great parish of the world, and Boston is not very much greater. Why can we not agree to do, each in his own way, the work that Providence has mapped out for us?

The state of public opinion and feeling in New England was such that Bishop Andrew could not be tolerated because his wife owned several slaves who were incapable of taking care of themselves, property that she inherited, and persons that it would have been sheer cruelty to thrust out upon the tender mercies of strangers or enemies. Let us grant that fact, and we will grant, further, that all New England took a very different view of the question from that entertained by us, and that their action was based upon sober reason and Christian principle. Admitting all that, when the pressure of New England sentiment forced the Northern delegates to stigmatize Bishop Andrew as a sinner who would not be suffered to preside in a New England Conference, the death-knell of Methodist union was sounded. It might be for evil, it might be for good, but separation must come. Divorce may be an unseemly, an uncomely thing; but there are circumstances that will justify it, the Lord of life being the witness in the case. Why then should these ecclesiastical sections desire to live together, under the same roof, if either had so offended the conscience of the other as to make the marriage relation a mockery and a crime?

If Bishop Andrew had rendered himself obnoxious to the public opinion and conscience of New England, the Methodist preachers from that section did well to say so, and if the people of the North indorsed the sentiment, or admitted the necessity of deposing him from the episcopal chair, it was a manly act to do it, and that it was done in the least offensive terms is a proof that the grace of God can throw a roseate hue over the very genius of fanaticism. We have not a word of objection to urge against the New England brethren, or the great body of the Northern delegates, because they uttered the sentiment that prevailed among their people. No matter who created the sentiment, nor when it was created, the fact remains that Bishop Andrew was "unacceptable." But the fact itself, and the reason for the fact, made a proclamation of Methodist disunion. We had a large country then, and we have a larger now. There was room for every man to work. Northern men, of abolitionist tendencies, could not serve the Church in the South. That experiment was tried, with deplorable results. Southern men, "connected with slavery," could not serve New England stations and circuits, and the Southern brethren had the good sense not to try the experiment, and deplorable results were prevented. Why should we go any farther, and become deeper and deeper entangled at every step? When love and esteem had departed, why should the skeleton bonds of ecclesiastical union be perpetuated?

Happily, the General Conference of 1844, by a remarkable vote, was of our way of thinking upon this subject. They voted—and Bishop (then Mr.) Simpson was among them—and they voted honestly, we have no doubt, that the time had come for the Southern Conferences to set up for themselves. As an abstract question the union of a million of Methodists in 1844 was a very beautiful and a very desirable thing. As an abstract question the union of five millions of Methodists would be a very beautiful, a very striking picture in 1891. But when the cold, clear light of philosophy and spiritual wisdom irradiates the scene the impartial observer sees that the danger that existed in 1844 has been multiplied fivefold in 1890. The whole subject has been narrowed down into a single sentence. If Southern Methodism is the thing that Dr. Crooks has painted it, we were unworthy of the union with good men in 1844, as we are unworthy of such a union at this day. If Southern Methodism has been misrepresented by Dr. Crooks, and by many others, the moral unfitness belongs to the other party. If there be no moral question involved (and there ought not to be), yet the peculiar conditions of our country are such that the ends of peace and the cause of God require that each section should be allowed to work out its destiny and fulfill its obligations with the least possible hinderance from the other.

Dr. Crooks calls the separation of 1844 a "schism." This is unfortunate for his case, be-

cause Bishop Simpson was one of the men who created this "schism." He indorsed by his vote the action of the Southern Conferences, by providing a plan for their erection into an independent Church. This we shall show presently. But this ecclesiastical schism, Dr. Crooks says, was the prelude to a civil schism of greater dimensions and of untold horrors.

We have already stated that we do not see the slightest connection between the organization of the Southern Methodist Church and the Civil War of 1861. If any Southern delegate on the floor of the Conference or elsewhere proclaimed the separation of 1844 as a prelude to disunion and civil war, he was acting only as others have done who predicted civil war and dissolution of the Union half a century before, and many times since, the exciting and procuring cause being the state of public opinion in New England.

It is well to take a cursory view of some facts that lie beyond the observation of the casual reader. A correspondent of Mr. Jefferson, ex-President of the United States, wrote to him in 1825, concerning an interview that occurred between Mr. Jefferson and John Quincy Adams in 1808. Mr. Jefferson replies:

That interview I remember well; not indeed in the very words which passed between us, but in their substance, which was of a character too awful, too deeply engraved on my mind, and influencing too materially the course I had to pursue, ever to be forgotten. Mr. Adams called on me pending the embargo, and while endeavors were making to obtain its repeal. He

made some apologies for the call, on the ground of our not being then in the habit of confidential communications, but that which he had then to make involved too seriously the interest of our country not to overrule all other considerations with him, and make it his duty to reveal it to myself particularly. I assured him that there was no occasion for any apology for his visit; that on the contrary his communications would be thankfully received, and would add a confirmation the more to my entire confidence in the rectitude and patriotism of his conduct and principles. He spoke then of the dissatisfaction of the eastern portion of our Confederacy with the restraints of the embargo then existing, and their restlessness under it; that there was nothing which might not be attempted to rid themselves of it; that he had information of the most unquestionable certainty that certain citizens of the Eastern States (I think he named Massachusetts particularly) were in negotiation with agents of the British Government, the object of which was an agreement that the New England States should take no further part in the war then going on; that without formally declaring their separation from the Union of the States, they should withdraw from all aid and obedience to them; that their navigation and commerce should be free from restraint and interruption by the British; that they should be considered and treated by them as neutrals, and as such might conduct themselves toward both parties; and at the close of the war be at liberty to rejoin the Confederacy. He assured me that there was eminent danger that the convention would take place; that the temptations were such as might debauch many from their fidelity to the Union; and that to enable its friends to make head against it the repeal of the embargo was absolutely necessary. I expressed a just sense of the merit of this information, and of the importance of the disclosure to the safety and even the salvation of our country; and however reluctant I was to abandon the measure (a measure which, persevered in a little longer, we had subsequent and satisfactory assurance would have effected its object completely), from that moment, and influenced by that information, I saw the necessity of abandoning it, and instead of effecting our purpose by this peaceful weapon we must fight it out or break the Union. I then recommended to my friends to yield to the necessity of a repeal of the embargo, and to en-

deavor to supply its place by the best substitute in which they could procure a general concurrence. ("Jefferson's Correspondence," Vol. IV., pp. 419, 420.)

With this attitude of New England in 1808 let us contrast the conduct of Virginia in 1798. The Federal administration of John Adams was taking the necessary steps to vindicate the honor of the country, and to redress the wrongs committed against our commerce by republican France. George Washington was appointed general in chief, naval armaments were voted, and a declaration of war was expected daily. In this state of things the students of William and Mary College, in Virginia, the followers of Mr. Jefferson, and therefore charged with being partisans of France, adopted an address to their members of Congress. After stating with energy and clearness their arguments in opposition to a war with France, these young men say:

> Should the representatives of the people, exercising their constitutional authority, either declare or by their acts bring on a commencement of hostilities, we shall no longer conceive ourselves justified in using the style of remonstrance to our government; but, throwing aside our opposition to measures which we conceive to have been so highly improper, we will imitate the glorious example of our predecessors at William and Mary, in being ready to defend our rights and liberties against foreign invasion.

We commend this picture to the thoughtful attention of the reader. In the life-time of the generation that had wrested their liberty from Great Britain, and while the man who wrote the immortal Declaration of Independence was in the presi-

dential chair, the people of New England threaten to enter into negotiations with the ancient enemy of the United States, and promise to stand by whilst English ships of war burn the harbors, destroy the vessels, and kill and capture the citizens of the Middle, Southern, and Western States, without sending a man or a gun to the defense of their former fellow-citizens!

On the other hand, France had been the friend of the American colonies, and had given them aid and comfort in the darkest hour of the struggle for liberty. Yet, in the event that the national honor makes the demand, the young men of Virginia throw aside all jealousies and theories, and pledge themselves to stand by their country, notwithstanding the fact that such a conflict must bring every farmer in Virginia to the verge of bankruptcy.

Three years after this memorable event, the threatened secession of New England from the Union, to prevent which the President of the United States was compelled to abandon a measure which would have prevented a war with England, we find this remarkable propensity to create causes for disunion taking a new and extraordinary turn.

The trouble in 1811 was the proposal to admit Louisiana into the Union as a State. The most distinguished citizen of Massachusetts at that time, Josiah Quincy, in his place in the Congress of the United States, affirms that the admission of Louisiana would dissolve the Union.

Mr. Quincy repeated and justified a remark he had made;

which, to save all misapprehension, he committed to writing in the following words: "If this bill passes, it is my deliberate opinion that it is virtually a *dissolution of the Union; that it will free the States from their moral obligations; and as it will be the right of all, so it will be the duty of some, to prepare for a separation, amicably if they can*, VIOLENTLY IF THEY MUST." (*National Intelligencer*, January 15, 1811.)

That this expression of opinion was not the utterance of one man only is apparent from the following manifesto of the citizens of Deerfield, Mass., and presented to the Legislature of the State in 1814:

Should the present administration, with their wicked adherents in the Southern States, still persist in the prosecution of this wicked and ruinous war—in unconstitutionally creating new States *in the mud of Louisiana* (the inhabitants of which country are as ignorant of republicanism as the alligators of their swamps), and in opposition to the commercial rights and privileges of New England, much as we deprecate a separation of the Union, we deem it an evil much less to be dreaded than a co-operation with them in their nefarious objects.

If Mr. Calhoun had desired to obtain authority for the absolute nullification of a law of the United States, he would not have sought for the footsteps of fifty Methodist preachers in 1844, when he had only to turn to the pages of history, in which the following example is recorded. The people of Boston, in convention assembled, passed the following resolution:

*Resolved*, That we will not voluntarily aid or assist in the execution of the act passed on the ninth of this month, for enforcing the several embargo laws: and that all those who shall assist in enforcing upon others the arbitrary and unconstitutional provisions of this act ought to be considered as enemies to the

Constitution of the United States and hostile to the liberties of this people!

The facility with which the people of New England could invent a cause that would justify a threat to dissolve the Union of the States will appear from the language presented by the people of Hadley, Mass., to the Legislature of the State:

*Resolved*, That in our opinion a perseverance in *that deadly hostility to commerce*, which, we believe, derives its origin and vigor from a deep-rooted jealousy of the Eastern States, will inevitably lead to a *dissolution of the Union*. And though we most sincerely deprecate such an event, yet we cannot suppress our fears that the time is at hand when *a separation of these States* will be enforced by the most irresistible of all motives—*self-preservation!*

At the time of this "hostility to commerce" the little State of Georgia, by a single sea-port city, sent to market more domestic exports than all the States of New England combined!

The wonderful character of New England opinion will be observed by the reader when he remembers that the Senate of the State of Massachusetts, in June, 1812, only eighteen months before the Deerfield meeting, in an address to the people of the State, used these remarkable words concerning this "wicked and ruinous war" with England:

The constituted authorities of the United States, in Congress assembled, submitting the justice of their cause to the God of battles, have at length declared war against this implacable foe; *a war for the liberty of our citizens, a war for our national sovereignty and independence, a war for our republican form of government against the machinations of despotism.*

Lest the reader should imagine that the Legisla-

ture of Massachusetts was incapable of eating its own words, he should know that a report of a joint committee of both houses, in less than twenty months after the above utterance, asserted "the propriety, justice, and necessity of forcible resistance to the measures of the general government," and assigned the following as one of the reasons:

> There exists in all parts of this Commonwealth a fear, and in many a settled belief, that the course of foreign and domestic policy pursued by the Government of the United States for several years past has its foundation in a deliberate intention to impair, if not to destroy, that free spirit and exercise of commerce which, aided by the habits, manners, and institutions of our ancestors, and the blessings of divine providence, have been the principal source of the freedom, wealth, and general prosperity of this recently happy and flourishing people.

The reader will be inclined to the opinion that these utterances, although credited to the same Legislature, cannot be the utterances of the same *men*. A change of membership, from one party to another, must have occurred. But this explanation is not at all necessary, not in New England. For it is upon record that Mr. Josiah Quincy—the gentleman who declared the admission of Louisiana to be a virtual dissolution of the Union—illustrated the versatility of New England politics in the Congress of the United States in 1812. Mr. Quincy was one of those who voted to authorize the President to accept the services of fifty thousand volunteers, to be organized, trained, and held in readiness for the defense of the country against the hostility of England. Mr. Quincy voted in favor

of authorizing the President to call out the militia whenever he believed that the public service required such action. Mr. Quincy voted in favor of fitting up the vessels of the navy that needed repair, that they might be immediately placed in commission. Mr. Quincy voted to arm our merchant vessels, and to authorize them to use force to repel unlawful interference on the high seas. Mr. Quincy voted in favor of raising an additional military force, and his name is recorded in the list of yeas, being one of 94 against a negative vote of 34. Mr. Quincy voted for the bill to enlarge and perfect the naval establishment of the country, the only enemy then in prospect being Great Britain. Mr. Quincy voted for the bill which authorized a loan of eleven millions of dollars to carry on the war. After all this, having voted for every preparatory measure necessary for the successful prosecution of war, Mr. Quincy faced about, and absolutely voted against the declaration of war against Great Britain!

Now Mr. Calhoun was a personal witness of all these occurences, and if he had needed any footsteps to direct him in the pathway of secession, here they were dating back to the very commencement of his public life, and nearly forty years before some fifty odd Methodist preachers in New York preferred the independence of their pastoral charges to the disgrace of their own bishop and the sentence of excommunication pronounced against nearly one-half of the Methodists in Amer-

ica. If Mr. Calhoun had been seeking for clerical footsteps that paved the way to secession and disunion, it is not to the little band of itinerant Methodist preachers that he would turn for the justification of his methods or the establishment of his principles.

The New England pulpit would be ample material for every purpose of a disunionist, and the perilous period of a destructive foreign war would be the most delicate opportunity for the display of disunion sentiments. In the year 1814 the capitol building in Washington City was in ashes—burned to the ground by the English invaders. The Government of the United States was in hiding from the enemy; the records of the nation destroyed; public credit prostrated; doubt, gloom, humiliation on almost every hand. The brave citizens of Tennessee were manfully driving back the hordes of savages that Christian England had armed and instigated to deeds of massacre and spoliation throughout the West.

From a contemporary volume, issued in 1815, we find the case fully stated:

1. Engagements were entered into in Boston by individuals, pledging themselves not to subscribe to the government loans. When some of them afterward did subscribe, they found it necessary to do it *secretly* to avoid the odium and the persecution excited against all who lent their money to the government.

3. The utmost influence of the press and the pulpit was employed to discourage and denounce subscribers to the loans. They were proscribed as *infamous* in the most popular organs of the day, and declared in those papers and from the pulpit to be absolute *murderers*.

4. During the winter, when the roads were in wretched order, and when freight was of course twenty or thirty per cent. dearer than the common freight, the Boston banks made immoderate, continued, oppressive, unprecedented, and hostile drafts for specie on the New York banks. The object of this action was to render it impossible for the banks in New York to aid the government, and thus precipitate the bankruptcy of the treasury of the United States.

5. At this very time the Boston banks had nearly three dollars in specie for one dollar of their paper money in circulation.

6. These drafts were continued throughout the spring and summer, and obliged the banks in the Middle and Southern States so far to curtail their accommodations as to bring the commercial world to the verge of bankruptcy. Large and numerous failures did take place.

7. These drafts were carried to such an extent that on the 26th of August the banks of Baltimore, on the 29th those of Philadelphia, and on the 31st those of New York were compelled to suspend specie payments.

8. Contemporaneously with these immoderate drafts a very large amount of bills drawn by the Government of Lower Canada were, through the medium of agents in Boston, distributed in New York, Philadelphia, and Baltimore.

9. These bills prodigiously increased the balances against the Southern banks, and rendered it impossible to find relief anywhere else.

10. *The specie received for these bills from New York, Philadelphia, and Baltimore was forwarded to Canada*, into the enemy's country, with the avowed purpose of procuring the shame and dishonor of the United States, by the bankruptcy of the government, and the collapse of the war.

11. While these measures were in progress Admiral Cockburn was putting the torch to the Capitol of the United States, and his red-coated soldiers were amusing themselves in chasing the half-armed militia of Maryland through the swamps and sands of the Chesapeake Bay!

The part enacted by the clergy in these proceed-

ings may be inferred from the following brief extracts of sermons delivered in Boston and elsewhere in New England. The Rev. J. S. J. Gardiner, rector of Trinity Church, Boston, at various times delivered his conscience of these expressions of patriotic zeal:

"It is a war unexampled in the history of the world; wantonly proclaimed on the most frivolous and groundless pretenses, against a nation from whose friendship we might derive the most signal advantages, and from whose hostility we have reason to dread the most tremendous losses." "Let no consideration whatever, my brethren, deter you at all times, and in all places, from *execrating* the present war. It is a war unjust, foolish, and ruinous." "As Mr. Madison has declared war, let Mr. Madison carry it on." "*The Union has been long since virtually dissolved*, and it is full time that this part of the Disunited States should take care of itself." "If at the command of weak or wicked rulers they undertake an unjust war, each man who volunteers his services in such a cause, or loans his money for its support, or by his conversation, his writings, or any other mode of influence, encourages its prosecution, that man is an accomplice in the wickedness, loads his conscience with the blackest crimes, brings the guilt of blood upon his soul, *and in the sight of God and his law is a murderer*." "One only hope remains: that this last stroke of perfidy may open the eyes of the besotted people; that they may awake, like a giant from his slumbers, *and wreak their vengeance on their betrayers*, by driving them from their stations, and placing at the helm more skillful and faithful hands."

"If at the present moment no symptoms of *civil war* appear, they certainly will soon, unless the courage of the war party should fail them." "A *civil war* becomes as certain as the events that happen according to the known laws and established course of nature."

The Rev. Elisha Parish, D.D., is not a whit behind his brother of Trinity Church, in either the

boldness or the bitterness of his invectives. Hear him:

"Those Western States which have been violent for this abominable war of murder; those States which have thirsted for blood, *God has given them blood to drink. Their men have fallen.* Their lamentations are deep and loud." "Let every man who sanctions this war by his suffrage or influence remember that he is laboring to cover himself and his country with blood. *The blood of the slain will cry from the ground against him.*" "How will the supporters of this anti-Christian warfare endure their sentence, endure their own reflections, endure the fire that forever burns, *the worm which never dies*, the hosannas of heaven, *while the smoke of their torments ascends* forever and ever?"

This man speaks as if he had the keys of heaven and of the bottomless pit in his own hands, and had determined to consign his countrymen to endless woe, simply because they were striving to maintain the independence, the integrity, and the honor of the United States.

All of these utterances were known to Mr. Calhoun, and if he had been in search for methods of organizing rebellion, secession, and disunion, we repeat that he had only to take counsel from the clergymen of New England.

Even the poor honor of inventing the doctrine of *nullification* is denied to Mr. Calhoun. This also is a New England institution, and was published to the world in 1814, in the proceedings of the celebrated Hartford Convention. "The delegates from the *Legislatures* of the States of Massachusetts, Connecticut, and Rhode Island, and from the counties of Grafton and Cheshire in the State of New Hampshire, and the county of Wind-

ham in the State of Vermont, assembled in convention, beg leave to report the following result of their conference." The date is December 15, 1814. Among the conclusions of this famous body is the following:

That acts of Congress in violation of the Constitution are absolutely void is an undeniable position. It does not, however, consist with the respect and forbearance due from a Confederate State toward the general government to fly to open resistance upon every infraction of the Constitution. The mode and the energy of the opposition should always conform to the nature of the violation, the intention of its authors, the extent of the injury inflicted, the determination manifested to persist in it, and the danger of delay. *But in cases of deliberate, dangerous, and palpable infractions of the Constitution, affecting the sovereignty of a State*, and liberties of the people, *it is not only the right but the duty of such a State to interpose its authority for their protection, in the manner best calculated to secure that end.* When emergencies occur which are either beyond the reach of the judicial tribunals or too pressing to admit of the delay incident to their forms, *States which have no common umpire must be their own judges, and execute their own decisions.* ("Proceedings of the Hartford Convention," p. 9.)

This is rather plain language, but the committee clothed its utterances in language plainer still. It is impossible to place more than one construction upon the following resolution:

*Resolved*, That it be and hereby is recommended to the Legislatures of the several States represented in this convention, to adopt all such measures *as may be necessary effectually to protect the citizens of said States from the operation and effects of all acts which have been or may be passed by the Congress of the United States*, which shall contain provisions subjecting the militia or other citizens to forcible drafts, conscriptions, or impressments not authorized by the Constitution of the United States.

If this is not the doctrine of nullification, grow-

ing into secession and civil war, then it is impossible to express those ideas in the courtly language of politics and diplomacy. It is not our purpose to indorse or to condemn the theory of the government which is clearly outlined in the proceedings of the Hartford Convention. It is part of the *res gestæ*, and one of the antecedents of the Civil War of 1861. But a more significant one still was the agitation which resulted in the Missouri Compromise in 1820. The fearful meaning of that great contest is described by one who was deeply read in the lore of human nature. In a letter dated April 22, 1820, Mr. Jefferson says:

> But this momentous question (the Missouri contest), like a fire-bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. It is hushed, indeed, for the moment. But this is a reprieve only, not a final sentence. *A geographical line, coincident with a marked principle, moral, and political*, once conceived and held up to the angry passions of men, *will never be obliterated;* and every new irritation will mark it deeper and deeper. . . . I regret that I am now to die in the belief that the useless sacrifice of themselves by the generation of 1776 to acquire self-government and happiness to their country is to be thrown away by the unwise and unworthy passions of their sons, and that my only consolation is to be that I live not to weep over it.

It is apparent in the light of these passages of American history, that the anomalous thing called "New England sentiment" has been a disturbing factor in the social, civil, and religious circles of the United States ever since the formation of the government. It was "New England sentiment" that created the "Alien and Sedition" law under

the elder Adams. It was "New England sentiment" that imperiled the republican form of government, and sought to introduce a hereditary monarchy into the American Constitution. It was "New England sentiment" that clamored for war with France when a New England statesman was in the presidential chair, and threatened the dissolution of the Union because a Virginia statesman dared to avenge the wrongs that England had perpetrated upon a peaceful and unoffending nation. It was "New England sentiment" that did all that could be done to bankrupt the Federal Government at the very time that the capitol of the United States lay in ashes, burned by the torch of English invaders. It was "New England sentiment" that caused the President of the United States to recede from a measure of retaliation against England, a measure that would have secured the objects for which we were contending. It was "New England sentiment" that created the Hartford Convention, in which the nullification of the laws of Congress and the doctrine of secession from the Union for causes of which each State was to be the judge were principles asserted and maintained by the representatives of New England Legislatures.

It was "New England sentiment" that defeated the embargo in 1808, and thus necessitated a war with Great Britain. It was "New England sentiment" that caused the bankers of Boston to make a specie demand upon the banks of New York,

Philadelphia, and Baltimore; and having exhausted the specie reserve, compelled the banks of the Middle States to decline the United States loan. It was "New England sentiment" that compelled the patriotic citizens of the Eastern States to lend their money to the government under the protection of secrecy. It was "New England sentiment" that caused public men to threaten the President of the United States with violence, and prompted a toast at a public banquet in which "Mr. Madison on the Island of Elba" was significally toasted, as a reminder that the President would soon be an exile from his country, banished by the lawless uprising in the East. It was "New England sentiment" that first precipitated a war with England, and then repudiated the act of their own government, and clamored for the sacrifice of the national honor for the sake of the dollars to be made by the carrying trade. It was "New England sentiment" that sustained the parties who hung out "blue lights" in the harbor of New London, in the time of war, in order to advise British ships that American vessels were about to leave the harbor, by which signals the ships of the United States might be delivered into the enemy's hands.

It was "New England sentiment" that caused many millions of gold and silver to be withdrawn from New York and Southern banks; and, having prostrated these banks by decreasing their power to aid the United States Government, it was "New

England sentiment" that, in time of actual war with Great Britain, shipped those millions of specie into Canada, into the enemy's country, and the blood and treasure of the Middle, Western, and Southern States were compelled to pay the price of New England treason.

Are we to be surprised, then, that "New England sentiment" ventures to dominate the Church, and to bend or break any instrumentality that can be used for the purpose of propagating the favorite theories of the Eastern States? We are not surprised at the claim, nor are we astonished at the result. The four New England Conferences that demanded the deposition of Bishop Andrew were from the same territory that was represented by the delegates to the Hartford Convention, who commanded President Madison to make peace with England, the penalty of his disobedience being the secession of the New England States. We have not the slightest doubt that the people who believed it to be a crime to buy a bond of the United States in 1814 believed it to be a crime against "expediency" as well as principle to occupy the position of Bishop Andrew. For this reason, because we accord the utmost sincerity to the parties, we believe that the separation of 1844 was the greatest blessing that Providence has conferred upon the Methodist people in the United States.

How puerile, then, is the cant that represents Mr. Calhoun as following in the footsteps of the

Southern Methodist leaders in 1844! If any thing can exceed the absurdity of Dr. Crooks, it is the subsequent sentence that Bishop Simpson, in the General Conference of 1844, was wearied by the "rehearsal of the struggle of 1861 to 1865."

# CHAPTER II.

Sincerity of the North in 1844—Real Schism Threatened—Slur upon Dr. Winans—Bowen, of Georgia, *non est*—Bishop Andrew Explains His Position—Resolution Passed by the General Conference—Bishop Simpson Votes to Condemn Andrew—Declaration of Southern Delegates—Dr. Charles Elliott Moves a Committee of Nine—Dr. McFerrin's Motion—Committee's Report—Bishop Simpson Approves the Report—Votes for Separation—Five Northern and Four Southern Men on the Committee—Every Member but One Votes for the Plan of Separation—Sudden Change—The Plan of Separation Becomes a Plan for Secession!

THE intelligent student of history will rise from the reading of the debates in the General Conference of 1844 with two well-defined and distinct impressions. The first is, the evident sincerity of the Northern delegates throughout the entire discussion. They were acting under pressure that they were powerless to resist.

A half-century of agitation had formed an effective target upon which the conscience and the intellect of the North could expend itself. Argument was useless. Protestations of love and affection were mockeries. Men deceived themselves when they bandied compliments which were once words of precious meaning, but had now been transformed into the shallow forms of useless courtesy.

The men of the North could not have done oth-

erwise than they did. Dissolution of the bands that bound the Church together in the North was as certain as the coming of the autumn season, in the event of a decision which exonerated Bishop Andrew.

On the other hand, the student will perceive the tone of sadness that served only to make the duty of the Southern delegates more imperative and uncompromising. Dr. Crooks professes not to understand what Bishop Soule meant by being "immolated" on the altar of the Church. Perhaps we do not see as clearly as that great man saw the principle that was involved. But there was more than one man in that Southern delegation who would gladly have sacrificed his life if by so doing the union of the Church could have been preserved. It was like the rending of one-half of the living body from the other. But the duty of the hour was bravely discharged, and the final words of the debate gave way to the inevitable votes that settled forever the *status* of Methodism in the United States.

That Dr. Crooks has given a caricature of this great debate the casual reader will see without taking the trouble to consult the records. For example, take the following:

> From the Episcopal Board comes the voice of Soule counseling the delegates to be calm and avoid loudness of speech. He is ready to be "immolated" on the altar of union, but in what precise way he does not explain. Winans, of Mississippi (an orator with the air of a backwoodsman), retorts that he cannot help loud speaking, and is going to speak loudly. He is

calm, he tells his brother delegates, but it is the calmness of despair. He is the first of the speakers to suggest secession, but shrinks from pronouncing the word. Bowen, of Georgia, is bolder, and predicts the disunion of the States as the probable result of the division of the Church. (Page 234.)

There are two errors in this brief extract. By what authority Dr. Crooks has taken upon himself the right to fill a blank and spell out an unspoken word in the speech of Dr. Winans we know not. We are confident, however, that no one who was familiar with the modes of thought of the Mississippi preacher would dream that he intended to pronounce the word "secession" in the connection here suggested. The words of Dr. Winans are these:

By the vote contemplated by this body, and solicited by this resolution, you will render it expedient—nay, more, you render it indispensable; nay, more, you render it *uncontrollably necessary*—that as large a portion of the Church—and permit me to add, a portion always conformed in their views and practices to the Discipline of the Church—I say that by this vote you render it indispensably—ay, uncontrollably—necessary that that portion of the Church should—I dread to pronounce the word, but you understand me. Yes, sir; you create an uncontrollable necessity that there should be a disconnection of that large portion of the Church from your body. ("Debates," p. 89.)

Did Dr. Winans mean to say that it was "uncontrollably necessary that that portion of the Church should *secede?*" It would have been an absurdity of the highest degree, for there was no secession, but a peaceful, amicable separation, by and with the consent of the General Conference, expressed in overwhelming numbers. "Seces-

sion" was never mentioned by any Southern delegate. It was an after-thought even in the North, where the term employed was believed to be amply sufficient to justify the repudiation of a contract.

The second error is more ludicrous than the first. "Bowen, of Georgia," is a myth. There was no such man in the Georgia delegation, nor was there such a man from the South. There *was* a Bowen, but he was from the Oneida Conference. But even here the words attributed to "Bowen, of Georgia," do not apply. Mr. Bowen, of Oneida, made a singular speech. We are not sure that we comprehend his meaning. Perhaps our readers will succeed better in their attempt. Mr. Bowen said:

> We deprecate the idea of a division, sir. We know that our great republic is connected together by the twofold ties of civil and ecclesiastical union. We are aware that to dissolve one of these ties would weaken the union of the whole, and, viewed under a civil aspect exclusively, we start back from the very idea; but, sir, it must be allowed that secession is preferable to schism. By schism, of course, is understood a division in the Church; and if this must prevail throughout the whole Connection—if the convulsions must be felt from center to circumference, it does seem to me that the disposition to pause in the choice of such an evil must lead to secession rather than schism. ("Debates," p. 90.)

We think that either the printer or the reporter has marred the speech of Mr. Bowen. Take it as it is, however, we suppose that he meant to say that it was better to permit the South to secede as a body than to keep up the strife in every Church,

station, and circuit in the North.* By "schism" we suppose he meant the creation of opposing factions, refusing to commune with one another, and possibly setting up rival Societies and congregations in the North. There was never any danger of such an event in the South. The approach to unanimity of opinion has preserved the Southern Church from schism. Nobody denies the Christian character of our Northern brethren, and we have never excluded them from communion with us. Ecclesiastical union is one thing, and the unity of the spirit in the bond of love is another. To preserve the latter, we must sometimes sacrifice the former. This was done in 1844, and not by secession either, as we propose to show.

Now what was the offense of Bishop Andrew? It is only necessary to state it in his own words, and we shall make no remark whatever concerning it:

I was located in a country where free persons could not be obtained for hire, and I could not do the work of the family, my wife could not do it: what was I to do? I was compelled to hire slaves, and pay their masters for their hire; but I had to change them every year—they were bad servants, they had no interest in me or mine—and I believe it would have been less sin before God to have bought a servant who would have taken an interest in me and in mine; but I did not do so. At length, however, I came into the possession of slaves; and I am a slave-holder (as I have already explained to the Conference), and I cannot help myself. It is known that I have waded through deep sorrows at the South during the last four years: I have buried the wife of my youth and the mother

*Better to have a division *of* the Church, than division *in* the Church.

of my children, who left me with a family of motherless children, who needed a friend and a mother. I sought another (and with this the Conference has nothing to do); I found one who I believed would make me a good wife and a good mother for my children. I had known her long; my children knew and loved her. I sought to make my home a happy one, and I have done so. Sir, I have no apology to make. It has been said I did this thing voluntarily and with my eyes open. I did so deliberately and in the fear of God, and God has blessed our union. I might have avoided this difficulty by resorting to a trick—by making over these slaves to my wife before marriage, or by doing as a friend who has taken ground in favor of the resolution before you suggested: "Why," said he, "did you not let your wife make over these negroes to her children, securing to herself an annuity from them?" Sir, my conscience would not allow me to do this thing. If I had done so, and these negroes had passed into the hands of those who would have treated them unkindly, I should have been unhappy. Strange as it may seem to the brethren, I am a slave-holder for conscience' sake. I have no doubt that my wife would, without a moment's hesitation, consent to the manumission of those slaves, if I thought proper to do it. I know she would unhesitatingly consent to any arrangement I might deem proper to make on the subject. But how am I to free them? Some of them are old, too old to work to support themselves, and are only an expense to me; and some of them are little children. Where shall I send these, and who will provide for them? But perhaps I shall be permitted to keep these; but then, if the others go, how shall I provide for these helpless ones; and as to the others, to what free State shall I send them? and what would be their condition? Besides, many of them would not go—they love their mistress, and could not be induced under any circumstances to leave her. Sir, an aged and respectable minister said to me several years ago, when I asked him what I would do: "I would set them free," said he; "I'd wash my hands of them; and if they went to the devil, I'd be clear of them." Sir, into such views of religion and philanthropy my soul cannot enter. I believe the providence of God has thrown these creatures into my hands, and holds me responsible for their proper treatment. I have secured them to my wife by deed of trust since our mar-

riage. The arrangement was only in accordance with an understanding existing previous to marriage. These servants were hers—she had inherited them from her former husband's estate—they had been her only source of support during her widowhood, and would still be her dependence if it should please God to remove me from her. I have nothing to leave her. I have given my life to the Church from my youth (and am now fifty); and although, as I have previously remarked, she would consent to any arrangement I might make, yet I cannot consent to take advantage of her affection for me to induce her to do what would injure her without at all benefiting the slaves. ("Debates," pp. 148, 149.)

All this was Greek to the great majority of the delegates from the North, and it is so still. This language could never be understood this side of the eternal world by most of those who were called upon to decide the issue. It is useless to argue the question, for instead of drawing nearer together and coming to a mutual understanding—that is to say, thorough agreement about the matter—we are growing farther apart.

What did the Conference do? They passed the following preamble and resolution:

Whereas the Discipline of our Church forbids the doing of any thing calculated to destroy our itinerant general superintendency; and whereas, Bishop Andrew has become connected with slavery, by marriage and otherwise, and this act having drawn after it circumstances which, in the estimation of the General Conference, will greatly embarrass the exercise of his office as an itinerant general superintendent, if not in some places entirely prevent it; therefore,

*Resolved*, That it is the sense of this General Conference that he desist from the exercise of his office so long as this impediment remains.

Upon the call of the yeas and nays this paper

was adopted by a vote of 111 yeas to 69 nays. Among the yeas is the name of Matthew Simpson, the Chairman of the Indiana Conference delegation.

The next step that was taken, as the logical result of this censure of Bishop Andrew, was the following paper, signed by the delegates from the Conferences in the Southern States:

THE DECLARATION OF THE SOUTHERN DELEGATES.

The delegates of the Conferences in the slave-holding States take leave to *declare* to the General Conference of the Methodist Episcopal Church that the continued agitation on the subject of slavery and abolition in a portion of the Church, the frequent action on that subject in the General Conference, and especially the extra-judicial proceedings against Bishop Andrew, which resulted, on Saturday last, in the virtual suspension of him from his office as superintendent, must produce a state of things in the South which renders a continuance of the jurisdiction of this General Conference over these Conferences inconsistent with the success of the ministry in the slave-holding States.

Dr. Charles Elliott moved to refer this paper to a committee of nine, and it was so ordered. The members of this committee were Robert Paine, Glezen Filmore, Peter Akers, Nathan Bangs, Thomas Crowder, Thomas B. Sargent, William Winans, Leonidas L. Hamline, and James Porter.

Dr. McFerrin moved and the Conference adopted the following:

*Resolved*, That the committee appointed to take into consideration the communication of the delegates from the Southern Conferences be instructed, provided they cannot in their judgment devise a plan for an amicable adjustment of the difficulties now existing in the Church on the subject of slavery, to devise, if possible, a constitutional plan for a mutual and friendly division of the Church.

Here are three important facts: 1. The Southern delegates declare that the continuance of the present ecclesiastical connection is impossible. The General Conference can no longer exercise its jurisdiction in the slave-holding States without imperiling the cause of God in the South. 2. This declaration is referred to a committee to consider the subject to which the paper refers. 3. That committee, by the order of the Conference, is instructed to "devise, if possible, a constitutional plan for a mutual and friendly division of the Church."

In a few days the committee reports, and after due consideration the report of the committee of nine is adopted. The various resolutions contained in the report are taken *seriatim*, and adopted. The preamble and first resolution are as follows:

The select committee of nine, to consider and report on the declaration of the delegates from the Conferences of the slave-holding States, beg leave to submit the following report:

Whereas a declaration has been presented to this General Conference, with the signatures of *fifty-one* delegates of this body, from thirteen Annual Conferences in the slave-holding States, representing that, for various reasons enumerated, the objects and purposes of the Christian ministry and Church organization cannot be successfully accomplished by them under the jurisdiction of this General Conference as now constituted; and whereas, in the event of a separation, a contingency to which the declaration asks attention, as not improbable, we esteem it the duty of this General Conference to meet the emergency with Christian kindness and the strictest equity; therefore,

*Resolved*, by the delegates of the several Annual Conferences in General Conference assembled,

1. That, should the Annual Conferences in the slave-holding

States find it necessary to unite in a distinct ecclesiastical connection, the following rule shall be observed with regard to the northern boundary of such Connection: All the Societies, stations, and Conferences adhering to the Church in the South, by a vote of a majority of the members of said Societies, stations, and Conferences, shall remain under the unmolested pastoral care of the Southern Church; and the ministers of the Methodist Episcopal Church shall in nowise attempt to organize Churches or Societies within the limits of the Church, South, nor shall they attempt to exercise any pastoral oversight therein; it being understood that the ministry of the South reciprocally observe the same rule in relation to stations, Societies, and Conferences adhering, by vote of a majority, to the Methodist Episcopal Church; provided, also, that this rule shall apply only to Societies, stations, and Conferences bordering on the line of division, and not to interior charges, which shall in all cases be left to the care of that Church within whose territory they are situated.

Upon this resolution the vote was yeas 147, nays 22. Among the yeas is the name of *Matthew Simpson*. The second resolution is as follows:

2. That ministers, local and traveling, of every grade and office in the Methodist Episcopal Church, may, as they prefer, remain in that Church, or, without blame, attach themselves to the Church, South.

On this resolution the vote was 139 in the affirmative and 17 in the negative. As the yeas and nays are not given in the Journal, we can only infer that Matthew Simpson voted in the affirmative. The third resolution is as follows:

3. *Resolved*, by the delegates of all the Annual Conferences in General Conference assembled, That we recommend to all the Annual Conferences, at their first approaching sessions, to authorize a change of the sixth restrictive article, so that the first clause shall read thus: "They shall not appropriate the produce of the Book Concern, nor of the Chartered Fund, to

any other purpose than for the benefit of the traveling, supernumerary, superannuated, and worn-out preachers, their wives, widows, and children, and to such other purposes as may be determined upon by the votes of two-thirds of the members of the General Conference."

The vote upon this resolution was 147 yeas and 12 nays. The name of Matthew Simpson is among the yeas. The fourth resolution is as follows:

4. That whenever the Annual Conferences, by a vote of three-fourths of all their members voting on the third resolution, shall have concurred in the recommendation to alter the sixth respective article, the Agents at New York and Cincinnati shall, and they are hereby authorized and directed to, deliver over to any authorized agent or appointee of the Church, South, should one be organized, all notes and book accounts against the ministers, Church-members, or citizens within its boundaries, with authority to collect the same for the sole use of the Southern Church, and that the said Agents also convey to the aforesaid agent or appointee of the South all the real estate, and assign to him all the property, including presses, stock, and all right and interest connected with the printing establishments at Charleston, Richmond, and Nashville, which now belong to the Methodist Episcopal Church.

This resolution was adopted without a call of the yeas and nays. The fifth resolution is as follows:

5. That when the Annual Conferences shall have approved the aforesaid change in the sixth restrictive article, there shall be transferred to the above agent of the Southern Church so much of the capital and produce of the Methodist Book Concern as will, with notes, book accounts, presses, etc., mentioned in the last resolution, bear the same proportion to the whole property of said Concern that the traveling preachers in the Southern Church shall bear to all the traveling ministers of the Methodist Episcopal Church; the division to be made on the basis of the number of traveling preachers in the forth-coming Minutes.

The vote on this resolution was yeas 153, nays 13. Matthew Simpson's name is recorded among the yeas. The sixth resolution is as follows:

6. That the above transfer shall be in the form of annual payments of $25,000 per annum, and specifically in stock of the Book Concern, and in Southern notes and accounts due the establishment, and accruing after the first transfer mentioned above; and until the payments are made, the Southern Church shall share in all the net profits of the Book Concern, in the proportion that the amount due them, or in arrears, bears to all the property of the Concern.

This resolution was adopted without taking the yeas and nays, and the six following resolutions were adopted in the same manner, the mind of the Conference having been declared by the overwhelming majorities given in every case in which the yeas and nays were called. The remainder of the report is as follows:

7. That Nathan Bangs, George Peck, and James B. Finley be, and they are hereby. appointed commissioners to act in concert with the same number of commissioners appointed by the Southern organization (should one be formed) to estimate the amount which will fall due to the South by the preceding rule, and to have full powers to carry into effect the whole arrangement proposed with regard to the division of property, should the separation take place. And if by any means a vacancy occurs in this board of commissioners, the Book Committee at New York shall fill said vacancy.

8. That whenever any agents of the Southern Church are clothed with legal authority or corporate power to act in the premises, the Agents at New York are hereby authorized and directed to act in concert with said Southern agents, so as to give the provisions of these resolutions a legally binding force.

9. That all the property of the Methodist Episcopal Church in meeting-houses, parsonages, colleges, schools, Conference funds, cemeteries, and of every kind within the limits of the

Southern organization, shall be forever free from any claim set up on the part of the Methodist Episcopal Church, so far as this resolution can be of force in the premises.

10. That the Church so formed in the South shall have a common right to use all the copyrights in possession of the Book Concerns at New York and Cincinnati at the time of the settlement by the commissioners.

11. That the Book Agents at New York be directed to make such compensation to the Conferences, South, for their dividend from the Chartered Fund, as the commissioners above provided for shall agree upon.

12. That the bishops be respectfully requested to lay that part of this report requiring the action of the Annual Conferences before them us soon as possible, beginning with the New York Conference.

Five members of this committee of nine who reported the Plan of Separation were delegates from non-slave-holding States, and with one exception every member of the committee voted for every proposition contained in the report. The one exception was L. L. Hamline, who was either absent or failed to vote, as his name is not recorded on either side of the question. There were 178 members of the Conference in the city, and the total vote on the first proposition was 169, showing only nine members absent from the Conference-room, and the vote only lacked eleven names to complete the entire membership of the General Conference. If ever a great measure was adopted by a vote approaching to unanimity, this was the measure. The first resolution received 87 per cent. of the vote cast, and 82 per cent. of the *possible vote*. The next call by yeas and nays shows 88 per cent. of the actual vote and 75 per cent. of

the *possible* vote in the affirmative. The third call shows 92 per cent. of the actual vote and 82 per cent. of the *possible* vote in the affirmative. The last call shows 92 per cent. of the actual vote and 85 per cent. of the *possible* vote in the affirmative.

Now what was that measure? The paper itself calls it a "Plan of *Separation*." Dr. Crooks calls it *secession* and *schism!* These five Northern men, coming from and representing non-slave-holding States, devised in committee, reported to the General Conference, and voted for the accomplishment of a "*secession*" and a *schism!* Matthew Simpson voted for the "secession" of the Southern Conferences, and Nathan Bangs, Glezen Fillmore, Peter Akers, Leonidas Hamline, and James Porter—every man of them an anti-slavery man—prepared the plan for the "secession!" Not only so, but Nathan Bangs, George Peck, and James B. Finley were appointed "commissioners" to arrange and perfect the plan of "secession!" Since the world was made such a proceeding as that was never recorded in the annals of ecclesiastical history!

Four years elapsed, and in those four years the Methodist Episcopal Church, South, had been organized, and was quietly proceeding on its way. A fraternal delegate was appointed to carry the Christian greetings of the Southern Church to their brethren of the North. The religious sense of the country was shocked by the spectacle of a *refusal to receive the fraternal delegate appointed by the Southern Church!*

And Matthew Simpson, who had voted for every portion of the Plan of Separation in 1844, boxed the compass of principles and added his vote to the majority that *repudiated* the Plan of Separation in 1848!

In political life, with a saving clause, we remember but one case that resembles the attitude of Matthew Simpson. In 1788 Edmund Randolph, in a debate with Patrick Henry, denounced with scathing energy an act of the Government of Virginia in putting to death the leader of a band of robbers in 1778. He declared the conduct of the authorities to be without precedent, committing an act of cruelty without even the forms of law, and said that he would expatriate himself if he believed such a crime could be repeated in Virginia. Nevertheless, Mr. Randolph was himself the attorney-general who convicted the man and caused him to be executed! Ten years caused a wonderful failure in the memory of Mr. Randolph; but no such plea avails in this case. Whatever Mr. Simpson did in 1844, he renounced, revoked, *repudiated* in 1848. There is not one extenuating fact in the entire record. He voted for an act of separation in 1844, in "Christian kindness and the strictest equity." This "kindness and equity" he repudiated in 1848!

And thus, we are informed by Dr. Crooks, Bishop Simpson received the "preparatory training by which he was fitted for the service rendered by him to the country from 1861 to 1865."

# CHAPTER III.

New England Leads the General Conference—Bishop Andrew Not Allowed to Preside in New England—Mr. Wesley's Testimony on one Subject Applied to Another—John Street Church, New York, a Slave-holder—Mr. Whitefield—Increasing Agitation—Antecedents of the Puritans—First Slave-ship Built in New England—First Speculators in Human Flesh—An Entire Colony in the Slave-trade—Cheapness of Slave Labor—Eliot Remonstrates—Indian Captives Sold as Slaves and Shipped Abroad—Barbarous Treatment of Slaves in New England—Legal *Status* of Slavery in Massachusetts—First Law Recognizing Slavery—Virginia Abolishes the Slave-trade Before Massachusetts—First Argument Against the Slave-trade—Petition of the Negroes in Massachusetts Disregarded.

In the October number of this Review it is asserted that we are indebted to New England for the division of the Methodist Episcopal Church in 1844. If there be any blame, it belongs to the four Conferences that precipitated the issue, and they are justly entitled to the praise if that action has proved a wise and beneficent method of preparation for an event that no human power could delay for many years.

The delegates from New England were not indisposed to assume the responsibility. "Sir, I tell you," said Mr. Cass, of New Hampshire, "that, in my opinion, a slave-holder cannot sit in the episcopal chair in an Annual Conference in New England; and if Bishop Andrew holds his office,

there will be large secessions, or whole Conferences will leave." This language is explicit, and there is nothing to be desired on the score of candor. Appreciating the delicacy of the position occupied by Mr. Cass, we cannot fully indorse his method of fortifying that position. He was standing on a volcano that was threatening an eruption at any moment, and he was certainly justifiable in adopting some means to avert a moral Herculaneum in his section of the country. But there was no need for his resort to "the opinions of some eminent men on the subject of slavery." New England was a law unto herself, and did not need assistance from without. But, inasmuch as he attempted to give the opinions of these eminent men, we seriously object to the manner in which he treated his authorities.

Intemperate zeal often develops a fatal facility for misrepresentation. This tendency is sometimes accompanied by an air of simplicity and earnestness which appeals to human sympathy, while the argument advanced may make little impression upon the judicial faculty. In the case of Mr. Cass, however, the misrepresentation of John Wesley seems to be the work of design. The first sentence quoted is set forth as an independent proposition of universal application. "Men-buyers are exactly on a level with men-stealers." This is the complete sentence as given by Mr. Cass within inverted commas. In Mr. Wesley's tract, however, these ten words are preceded by twenty-

four others in the sentence, and it is evident from the connection that Mr. Wesley alludes to persons who buy Africans who were stolen by slave-traders from their country, the fact of the kidnapping and stealing being known to the buyer at the time of the purchase. In that case Mr. Wesley says that the man who buys a stolen negro, knowing him to be such, is as bad as the man who did the stealing. This is the well-known principle that the receiver of stolen goods is as bad as the thief, and no one could question the truth of the sentiment. But Mr. Cass quotes it in order to make Mr. Wesley say that any person who buys an African slave is "exactly on a level" with the slave-dealer who steals and sells an African negro. This violence to the text of Mr. Wesley's tract is followed by an ingenious incorporation of another part of the essay in such manner as to confirm the impression that Mr. Wesley made no distinction whatever between the African slave-trade as practiced by the traders of New England and the mere possession or ownership of slaves. In order to do this, after declaiming a mutilated sentence as if it were a universal proposition, Mr. Cass leaps over thirty lines of the printed essay on slavery and connects the sentence about "men-buyers and men-stealers" with the case of those who have inherited property in slaves. The object of Mr. Cass was undoubtedly to produce Mr. Wesley's testimony as an unqualified and absolute condemnation of all forms of slave-holding, and for the purpose of putting

every owner of slaves on a par with "men-stealers." But the excited representative of the New Hampshire Conference did not stop at that point, bad as the misrepresentation was. He proceeded to wind up the paragraph with a vigorous denunciation, in which Mr. Wesley is credited with this language; "*I strike at the root of this complicated villainy. I absolutely deny all slave-holding to be consistent with any degree of justice.*" These words Mr. Wesley never wrote. They are the product of an age and of a spirit wholly unknown to the founder of Methodism. Whether Mr. Cass interpolated these mischievous sentences, or whether they were supplied to him at second-hand by some laborer in the same field of morals, it is impossible to determine. The fact is that the views of Mr. Wesley were tortured into an indorsement of the extreme position which had been assumed by the abolitionists of New England.

Whatever may have been the opinion of John Wesley in regard to the question of slavery in the abstract, it is simply impossible that he could have regarded the Rev. George Whitefield as "exactly on a level with men-stealers." Bold as he was, John Wesley would not have denounced the stewards and trustees of John Street Church in New York as "exactly on a level with men-stealers." Whitefield and the officers of John Street Church in New York were both "men-buyers," and the ownership of slaves for the use of the Orphan House in Georgia, or the property of the slave that served

the Church in New York as a sexton, did not and could not degrade these slave-holders in the estimation of right-thinking men to the level of the slave-traders in Boston who were growing rich by kidnapping and shipping the helpless natives of Africa to the West Indies and America. To suppose the contrary is to admit that good men are capable of doing away with all moral distinctions. Mr. Wesley's "Thoughts upon Slavery" is a witness to the inflexible integrity of the founder of Methodism, but his opinions upon this subject are of no more value to us than his "Thoughts on Liberty," in which he denies the fundamental principles of republican government. The only question involved is the misrepresentation of the writings of a great and good man to serve the exigencies of a political crusade.

That the agitation which for twelve years had been increasing in the New England States was, in its inception, a political movement will be shown in its proper place. The fiscal policy of New England had extorted from South Carolina a revolt against the taxation of the South for the benefit of manufacturers in the East. The retort courteous was a vigorous and unfaltering crusade against the "peculiar institution" of South Carolina and the States below Mason and Dixon's line. One of the forms of this crusade was the rallying cry of a moral question which could not be lulled to sleep when once it had aroused the conscience of a people whose jealousies involved all forms of rivalry

and all sections beyond the boundaries of New England.

That there was a peculiar susceptibility for this agitation in the moral constitution of the descendants of the Puritans can admit of little doubt. States and communities, precisely as individuals do, acquire in process of time a distinguishing character which gives them an allotted place and station in the world. That there should be a peculiar sensitiveness upon the subject of slavery, and that this sensitiveness should exhibit itself in every form of ultraism in sentiment, were natural results growing out of the singular antecedents of the white and black races in the States of New England. In the whole history of African slavery in North America the darkest chapter is that which records the conduct of New England toward the negro race. The intuitions of a people may exceed their ability to reason upon the law of retribution. The doubting intellect that converts itself by convincing others has its parallel in the uneasy conscience which lightens its own burden by imposing a heavier load upon another. For this reason it is impossible to determine the causes of the division of the Church in 1844 without examining the records of New England and the attitude of that people toward the great question which became the occasion, not the cause, of a divided household of faith.

The first American ship that engaged in the African slave-trade was the "Desire," built in Marblehead, in Massachusetts Colony, in 1636.

From the port of Boston this vessel sailed upon her first voyage, carrying a complement of "men-stealers." The slaves were obtained by purchase, exchange of Indians captured in "just wars," and by such other means as the traders of the time saw fit to employ. Many of the return cargo of negro slaves were sold in the West Indies, some in Virginia, and others were placed on the Boston market. One feature in the case is peculiar. From Moore's "Notes on the History of Slavery in Massachusetts" we extract the following statement:

> It will be observed that this first entrance into the slave-trade was not a private, individual speculation. *It was the enterprise of the authorities of the colony.* And on the 13th of March, 1639, it was ordered by the General Court "that 3*l.* 8*s.* should be paid Lieftenant Davenport for the present, for charge disbursed for the slaves, which, when they have earned it, he is to repay it back again." The marginal note is, "Lieft. Davenport to keep the slaves." (Mass. Rec., I., 253.—Moore's "Notes," p. 9.)

This record is eleven years prior to the first mention of negro slaves in the archives of Virginia, according to the testimony of Thomas Jefferson. It is a remarkable fact that the Massachusetts *colony* embarked in this enterprise. We would not be surprised at the early mention of a venture by individuals into a profitable field of trade occupied by all the nations of Christendom, to a greater or less extent, through their merchants, but if there is anywhere the record of an American *colony* following the example of Massachusetts we have not found it. That in her corporate capacity she began and for many years continued the occupation of

"men-stealers," as defined by Mr. Cass, is a distinction due to Massachusetts alone.

The domestic feature of this traffic and the reasons which made the introduction of African slaves an important factor in the life of the colony we find fully set forth in a letter from Edward Downing, an Englishman who emigrated from London and married the sister of the elder Winthrop. The letter was written in 1645, during the struggle between the Long Parliament and King Charles I. We use the modern spelling:

A war with the Narragansett is very considerable to this plantation, for I doubt whether it is not sin in us, having power in our hands, to suffer them to maintain the worship of the devil, which their paw-waws often do. Secondly, if upon a just war the Lord should deliver them into our hands, we might easily have men, women, and children enough to exchange for Moors, which will be more gainful pillage for us than we can conceive, for I do not see how we can thrive until we get into a stock of slaves sufficient to do all our business, for our children's children will hardly see this great continent filled with people, so that our servants will still desire freedom to plant for themselves, and not stay but for very great wages. And I suppose you know very well how we shall maintain twenty Moors cheaper than one English servant. (Moore's "Notes," p, 10.)

It may be readily conceived that the prospect of "gainful pillage" would have somewhat to do in determining the conditions of a "just war." But the established principle was admitted by all, ministers and laymen, that an Indian prisoner might be justly sold into slavery in a foreign country. A dangerous neighbor was removed, and in exchange a cheap workman was obtained. White servants

would not keep their contracts, and would soon set up for themselves. The "Moors" were property, owned as chattels, and kept at a cost of one-twentieth of the expense of an English servant. Not only was this exchange of Indian captives for African slaves considered expedient and proper, but it was believed to be, in one sense, a fulfillment of prophecy. At that early day it was a prevalent opinion that the American Indians were the descendants of the ten lost tribes of Israel. There were numerous prophecies concerning these, not a few of the prophecies suiting the convenience and the comfortable establishment of the Puritan settlers. Speaking of the Israelitish origin of the American Indians, Cotton Mather is very ingenious in drawing parallels between the Hebrew people of the dispersion and the Indians, showing how many traits they had in common. Eliot, the apostle to the Indians, is described as interesting himself in the fortunes of the American savages largely with a view to co-operate with the spirit of the prophecies recorded in the Old Testament. Cotton Mather, in his "Magnalia," writes of Eliot as follows:

Moreover, it is a prophecy in Deuteronomy xxviii. 68: "The Lord shall bring thee into Egypt again with ships, by the way whereof I spoke unto thee, thou shalt see it no more again; and there shall ye be sold unto your enemies, . . . and no man shall buy you." This did our Eliot imagine accomplished when the captives taken by us in our late wars upon them were sent to be sold in the coasts lying not very remote from Egypt on the Mediterranean Sea, and scarcely any chapmen would offer to take them off." ("Magnalia," Vol. I., p. 561.)

The method of proceeding in this exchange of Indian captives for "Moors" is not always defined, but the fact that Indian prisoners were sold into slavery abroad is found recorded in many papers of the colonial history. We are indebted to the historian of Massachusetts slavery for this account:

At the time of King Philip's War, the policy and practice of the Colony of Massachusetts, with regard to slavery, had been already long settled upon the basis of positive law. Accordingly the numerous "captives taken in war" were disposed of in the usual way. The notes which follow are mainly from the official records of the colony, and will be sufficient to show the general current of public opinion and action at that period:

In August, 1675, the Council at Plymouth ordered the sale of a company of Indians, "being men, women, and children, in number one hundred and twelve." With a few exceptions, the Treasurer made the sale "in the countrye's behalfe." (Plymouth Records, v., 173.)

A little later the Council made a similar disposition of fifty-seven more [Indians] who "had come in a submissive way." These were condemned to perpetual servitude, and the Treasurer was ordered and appointed "to make sale of them, to and for the use of the colonie, as opportunity may present." (*Ib.*, 174.)

The accounts of the Colony of Massachusetts for receipts and expenditures during "the late war," as stated from the 25th of June, 1675, to the 23d of September, 1676, give among the credits the following:

"By the following accounts received in or as silver, viz.:

"Captives: for 188 prisoners at war sold....397 13 00"

(Plymouth Records, x., 401.)

There is a peculiar significance in the phrase which occurs in the "Records," "Sent away by the Treasurer." It means sold into slavery. (Massachusetts Records, v., 58.)

The statistics of the traffic carried on by the Treasurers cannot be accurately ascertained from any sources now at command. But great numbers of Philip's people were sold as slaves in foreign countries. In the beginning of the war Captain Moseley captured eighty, who were confined at Plymouth. In

September following one hundred and seventy-eight were put on board a vessel commanded by Captain Sprague, who sailed from Plymouth for Spain. (Drake, 224.—Notes, p. 35.)

The biography of Eliot, given by Cotton Mather, reveals to us a singular phase of African slavery among the Puritans. It can scarcely be credited that these people, fugitives from Europe for the purpose of serving the Lord, should be so utterly negligent and indifferent to the salvation of souls committed to their care by Divine Providence. The picture given us by Cotton Mather seems to be the prototype for all subsequent descriptions of slavery in the Southern States. Located in Virginia or South Carolina, we might consider the horrible degradation of the white slave-holders as the cause, but what shall be said in explanation of the state of things described in the following passage?

He [Eliot] had long lamented it with a bleeding and burning passion, that the English used their negroes but as their horses or their oxen, and that so little care was taken about their immortal souls; he looked upon it as a prodigy that any wearing the name of Christians should so much have the heart of devils in them as to prevent and hinder the instruction of the poor Blackamoors, and confine the souls of their miserable slaves to a destroying ignorance, merely for fear of thereby losing the benefit of their vassalage; but now he made a motion to the English within two or three miles of him, that at such a time and place they would send their negroes once a week unto him; for he would then catechise them and enlighten them to the utmost of his power in the things of their everlasting peace. However, he did not live to make much progress in this undertaking. ("Magnalia," Vol. I., p. 576.)

If this paragraph had been written concerning

some benevolent man whose pity was stirred by the heathenish ignorance of the negro slaves in Virginia or South Carolina, it would not excite very great surprise. The old cavalier of the seventeenth century—that is, the American representative of the stock—did not care for his own soul; why should he be concerned about the religious welfare of his slaves? But here we have a religious people *par excellence*. They are the types of devotion to the gospel, as they are pioneers, guides, living embodiments of all goodness and all greatness; and yet one of their own historians, in the year of grace 1695, declares that the Massachusetts slave-holders "used their negroes as their horses or their oxen," and cared not for their souls! Verily, there were some shadows in the picture drawn by their own painters, and it was not all sunshine among the "Pilgrim Fathers!"

From this description of African slavery, as it existed in Massachusetts in the seventeenth century, let us turn to the statute books to determine what the legal *status* of the institution was. We have already seen that the first venture in the African slave-trade was made from Boston, in a Massachusetts ship, and by and for the account of the colony as a slave-trader. Buying wherever convenient, and exchanging captive Indians for Africans wherever possible, the business prospered under the sanction of common custom, and was thoroughly protected by all necessary legislation. We come now to a new chapter in the history of New

England. Massachusetts again claims pre-eminence, in that she was the first colony *to establish African slavery by law*. In other portions of the continent the custom of the times was a common law upon the subject. Mr. Moore says:

> The first statute establishing slavery in America is to be found in the famous CODE OF FUNDAMENTALS, or BODY OF LIBERTIES OF THE MASSACHUSETTS COLONY IN NEW ENGLAND—the first code of laws of that colony, adopted in December, 1641. These liberties had been, after a long struggle between the magistrates and the people, extracted from the reluctant grasp of the former. ("Notes," p. 11.)

We shall not turn aside to examine the controversy concerning the phraseology employed by the slave-holders of Massachusetts in making their record. Calling special attention to the date A.D. 1641, we copy the statute and the explanatory remarks of Mr. Moore:

> LIBERTIES OF FORREINERS AND STRANGERS.
>
> 91. There shall never be any bond slaverie, villinage or captivitie amongst us unless it be lawfull captives taken in just warres, and such strangers as willingly sell themselves or are sold to us. And these shall have all the liberties and Christian usages which the law of God established in Israel concerning such persons doeth morally require. This exempts none from servitude who shall be Judged thereto by Authoritie. ("Notes," p. 12.)

In elucidation of this statute Mr. Moore says:

> The law must be interpreted in the light of contemporaneous facts of history. At the time it was made (1641) what had its authors to provide for?
>
> 1. Indian slaves—their captives taken in war.
>
> 2. Negro slaves—their own importations of "strangers," obtained by purchase or exchange.

3. Criminals—condemned to slavery as a punishment for offenses.

Thus stood the statute through the whole colonial period, and it was never expressly repealed. Based on the Mosaic code, it is an absolute recognition of slavery as a legitimate *status*, and of the right of one man to sell himself as well as that of another man to buy him. It sanctions the slave-trade and the perpetual bondage of Indians and negroes, their children and their children's children, and entitles Massachusetts to precedence over any and all other colonies in similar legislation. *It anticipates by many years any thing of the sort to be found in the statutes of Virginia, or Maryland, or South Carolina*, and nothing like it is to be found in the contemporary codes of her sister colonies in New England. ("Notes," p. 18.)

Mr. George H. Moore, Librarian of the New York Historical Society, of whom George Bancroft testifies that he is helping "to make American history what it ought to be," has undertaken the task of excavating the truth of New England story. Lying under a superincumbent mass of rubbish, fiction, fancy, and rhetoric, the task of delving into genuine sources has been beset with formidable difficulties. By his aid, however, we are able to obtain some psychological materials, and they form conducting threads that lead us through the maze of that wonderful labyrinth, "New England sentiment."

We have seen the slave-trade exploited, found profitable, and established by law in Massachusetts, as early as 1641. When was it abolished? Upon that subject in the State of Virginia, for example, common history gives us line upon line of record. As early as 1774 the people of a large and intelli-

gent county petitioned for the suppression of the African slave-trade. Hanover County could not prevail, however, not because of the prejudices of the colonists, but on account of the royal interest in the profitable traffic. But when the popular voice formed a government and chose an untrammeled Legislature, at the instance of Thomas Jefferson, in 1778, the State of Virginia abolished the African slave-trade.

Where was John Adams, and what were the law-makers of Massachusetts doing in this behalf? Early in the seventies the General Court passed the necessary bills, but the royal Governor "disallowed" them. This was in 1774. The next year the war began, and in 1776 the colonies were declared "free and independent States." The negroes of Massachusetts begged to be remembered in the general deliverance. To fight for liberty for the whites, and at the same time to retain the negro population in a state of slavery, was declared incongruous and unworthy of a proud commonwealth. Nevertheless, Mr. Moore tells us: "Sympathy for the slave, and moral scruples against slavery, became less urgent and troublesome after the royal negative had become powerless against the legislation of the people of Massachusetts." In point of fact, nothing was done, and the *African slave-trade was still recognized by law in Massachusetts ten years after it had been abolished in Virginia!* One of the most curious documents in this eventful history is the paper of

instructions given by respectable merchants in Massachusetts to the captain of their slave-ship. The date of this paper is November 12, 1785, seven years after Virginia had abolished the traffic!

At last, in 1788, an act was passed for the abolition of the slave-trade. A significant proviso explains itself without a word of comment: "Provided, *That this act do not extend to vessels which have already sailed, their owners, factors, or commanders, for, and during their present voyage, or to any insurance that shall have been made, previous to the passing of the same.*" Here we have a distinct recognition of the fact that vessels were still engaged in this nefarious traffic. The people of Virginia were compelled for their own safety to move with caution, and if they attempted to emancipate their slaves, by the most imperious of all considerations—self-preservation—they were obliged to act by slow degrees. Yet the people of Virginia anticipated the Puritans of Massachusetts by ten years in the abolition of the slave-trade. No colors have been too dark to paint the depravity of the "slave-drivers" of the "Old Dominion." What shall we say of those of Massachusetts?

In 1645 Mr. Edward Downing had arrived at the conclusion that "20 Moors" could be maintained for the sum required to take care of a white servant. This enthusiastic view of the subject did not prevail among his fellow-citizens. Before the end of the century it was discovered that African slavery, however profitable it might be under cer-

tain circumstances, was not at all adapted to the general prosperity of the colony. The Puritans were excellent judges of "gayneful pilladge." Whether the supply of captives for exchange had given out, or the increasing population rendered increased thrift and industry with the quickest of wits necessary—however the case may be, one fact is beyond dispute: it was discovered that African slavery was not the best form of human labor to be employed in Massachusetts. This discovery is clearly exhibited in an essay in 1706. The title is: "Computation that the importation of negroes is not so profitable as that of white servants." It appeared in the *Boston News-Letter*, No. 112, June 10, 1706. The arguments produced in this essay will throw a flood of light over several passages of the history of New England. We copy a portion of the article:

By last year's Bill of Mortality for the Town of Boston, in Number 100 News-Letter, we are furnished with a list of 44 Negroes dead last year, which being computed one with another at 30*l.* per Head, amounts to the Sum of One Thousand three hundred and Twenty Pounds, of which we would make this remark: That the importing of Negroes into this or the Neighboring Provinces is not so beneficial either to the Crown or County as White Servants would be.

For Negroes do not carry Arms to defend the country as Whites do.

Negroes are generally Eye-Servants, great Thieves, much addicted to Stealing, Lying and Purloining.

They do not People our Country as Whites would do whereby we should be strengthened against an enemy.

By Encouraging the Importing of White Men Servants, allowing somewhat to the Importer, most Husbandmen in the Coun-

try might be furnished with Servants for 8, 9, or 10*l.* a Head, who are not able to launch out 40 or 50*l.* for a Negro, the now common Price.

A man then might buy a White Man Servant we suppose for 10*l.* to serve 4 years, and Boys for the same price to serve 6, 8, or 10 years; If a White Servant die, the loss exceeds not 10*l.* but if a Negro dies, 'tis a very great loss to the Husbandman; Three years' Interest of the price of the Negro will near upon, if not altogether, purchase a White Man Servant.

And here you see that in one year the Town of Boston has lost 1320*l.* by 44 Negroes, which is also a loss to the country in general, and for a less loss (if it may be improperly so called) for a 1000*l.* the Country may have 500 Men in 5 years time for the 44 Negroes dead in one year.

A certain person within these 6 years had two Negroes dead computed both at 60*l.* which would have procured him six white Servants at 10*l.* per head to have served 24 years, at 4 years apiece, without running such a great risque, and the whites would have strengthened the country, that Negroes do not. ("Notes," p. 107.)

This is said to be the first argument that appeared in the newspapers against the slave-trade. It is instructive, too, that this "argument" contains not a thought or a suggestion that touches any question of the negro's welfare. It was simply a matter of dollars and cents. Fifty years before, it seemed a matter of economy to buy slaves and work them vigorously. Now there was a change of policy. Negroes had a habit of dying at times inconvenient for their owners, and when a negro was dead the money invested in him went to the bottom of the sea. Work must be done, and somebody must do it; therefore, instead of buying slaves for life, taking care of them in sickness and during old age, it was found cheaper to

buy the slave with a white skin and to buy him for a term of years, so that after the best of his working days had been sold for a song he could be turned out in his latter days to shift for himself. This philosophy was too self-evident to allow its passing into oblivion. Nothing was done in the way of resolutions, town meetings, agitation bureaus, and the like, but the well-advised Boston man bought his white servants when he could get them, and shipped his negroes to Virginia, with a return cargo of tobacco in exchange. If he had stopped there, it might have been better for the honor of the colony. But the thrifty captain of the slave-trading ship knew just when and where to take a cargo of New England men to the coast of Africa, and either by force or fraud the delighted skipper returned to his owners with a comfortable balance of West India produce or yellow coins acquired in the "gainful pillage."

So little thought had the Massachusetts people of any moral question involved that they turned a deaf ear to the cries of the negroes themselves, after the Revolutionary War and when the Legislature had no royal vetoes to lay embargoes upon their actions. From the following petition to the Legislature sent up by the poor negroes of Massachusetts we have a pitiful appeal and an accurate picture of their treatment in 1780:

We being chiefly of African extract, and by reason of long bondage and hard slavery, we have been deprived of enjoying the profits of our labor or the advantages of inheriting estates from our parents, as our neighbors the white people do, having

some of us not long enjoyed our own freedom; yet of late, contrary to the invariable custom and practice of the country, we have been, and now are, taxed both in our polls and that small pittance of estate which, through much hard labor and industry, we have got together to sustain ourselves and families withal. We apprehend it, therefore, to be hard usage, and will doubtless, if continued, reduce us to a state of beggary, whereby we shall become a burden to others, if not timely prevented by the interposition of your justice and power.

Your petitioners further show that we apprehend ourselves to be aggrieved in that, *while we are not allowed the privilege of freemen of the State, having no vote or influence in the election of those who tax us*, yet many of our color, as is well known, have cheerfully entered the field of battle in the defense of the common cause, and that, as we conceive, against a similar exertion of power (in regard to taxation) too well known to need recital in this place.

We most humbly request, therefore, that you would take our unhappy case into your serious consideration, and, in your wisdom and power, grant us relief from taxation while under our present depressed circumstances. ("Notes," p. 196.)

If the complaint of these negroes was well-founded, their destitution must have been very great. But they were neither relieved from taxation nor assisted in any way whatever, for as late as 1795, Mr. Moore tells us, "the *status* of the negro was by no means definitely determined." Some authorities asserted that negroes could neither vote nor hold office. Dr. Belknap says: "Instances of the election of a black to any public office are very rare." So rare, indeed, that Dr. Belknap could only cite one instance in which a mulatto held the office of town clerk. This solitary instance had ceased to exist, as the man was dead at the time Dr. Belknap wrote.

# CHAPTER IV.

No Free State in 1790—Tinkering with the Census—Humiliating Statement—Disappearance of the Negroes—Advertisements of Slaves for Sale in Boston—Sources of New England Ideas—Slavery Never Abolished in Massachusetts—Owners Discouraged from Manumission—Pitiful Spectacle—Massachusetts and South Carolina Contrasted—Negroes Not Allowed to Exercise Useful Trades in Massachusetts in 1844—Negroes Banished from Massachusetts—Notice to Leave—Repeal of the Banishment Act—Agitation Begun—Bishop Emory—Agitation in Congress—Votes in the House of Representatives—Party Lines Foreshadowed—Morality of the Abolition Movement—Anecdote of the Elder Adams—*Status* of the Negro in Massachusetts in 1844—Dr. Simpson's State Petitions for African Slavery—Petition Denied and Renewed—John Randolph's Advice—Indiana Petition Again—Did Dr. Simpson Know These Things?—An Eloquent Bishop's Opportunity—Points Proved.

THERE is a more humiliating feature in this history. It is given in the "Appendix" of Moore's "Notes." It is well known that the census of 1790 placed Massachusetts as the solitary "free State." Not a slave was reported as existing in the commonwealth. Notwithstanding this fact, however, there were slaves in Massachusetts at that time. In a work entitled "Travels through the United States" the Duke de la Rochefoucault Liancourt says: "It is to be observed that in 1778 the general census of Massachusetts included 18,000 slaves, while the subsequent census of 1790 only exhibits 6,000 blacks." Here we have a de-

crease from 18,000 to 6,000 in twelve years, and the *apparent* abolition of slavery in the meantime, as the "slaves" in 1776 are called simply "blacks" in 1790. But no man has found the record of any act of emancipation by which these slaves were set free. The ingenious method by which slavery was eliminated from the census of Massachusetts is told in the "Life of Belknap:"

> The following anecdote connected with this subject, it is believed, has never been made public. In 1790 a census was ordered by the general government, then newly established, and the Marshal of the Massachusetts District had the care of making the survey. When he inquired for *slaves*, most people answered none; if any one said that he had one, the Marshal would ask him if he meant to be singular, and would tell him that no other person had given in any. The answer then was, "If none are given in, I will not be singular;" and thus the list was completed without any number in the column for slaves. ("Notes," p. 247.)

We doubt whether a parallel fact can be found in the history of any people outside of New England. Officers of the government are sworn to discharge their duties honestly and justly, and yet here is the admission that a sworn officer made it his business to corrupt and falsify the records of the State! And the "anecdote" is given without a word of censure for the perjured officer!

The decrease from 18,000 to 6,000 blacks is easily accounted for. There were hundreds of plantations from Virginia to Georgia in which these unhappy negroes would find congenial company and merciful treatment as slaves, and the care and curse of them was transferred from Massachu-

setts consciences to those of the hopelessly depraved "slave-drivers" of the South, while the white-souled Puritan pocketed the "gainful pillage" in the shape of the market price for his "human chattels."

Mr. Moore gives a number of advertisements of negro slaves for sale in the town of Boston, and some as late as 1781. A marked feature of these slave advertisements is the reason assigned for selling the property. "Want of employ" is, in most cases, the cause, and it is significant of the relation sustained by the negro to the white man in New England. A few farmers excepted, there were no persons who could employ negro slaves to advantage. They were excluded from all the trades as a matter of course. They were shut up to one source of obtaining a living if they were free, and as slaves there was but one species of work in which their masters could use them. Farming was rapidly becoming one of the crowded occupations of the country; and to keep up with the progress of the age, the farmer had to employ the very best "help" that could be found. Negroes could not and would not do as much work as white men, and they did not do even the inferior amount of work as well as white men could do it. The prevailing distinction of "caste" was stronger in Massachusetts than it was anywhere else on the continent, and hence white men would not work in the same field with the negro, nor would they allow any kind of "fellowship" as workmen.

The farmer employing labor was compelled to take his choice, and go into the untrammeled market of supply, or struggle on with his few slaves, half of whom were unfit by reason of age for field work. The result was evident. The Massachusetts negro slave was shipped to town and put up on the block, if the enterprising farmer could not commission a salesman for a trip "down South." Let us take some examples of slave-selling in Boston:

[From the *Independent Chronicle*, March 30, 1780.]

To be SOLD very cheap, for no other reason than for want of employ, an exceedingly active NEGRO BOY, aged fifteen. Also a likely NEGRO GIRL, aged seventeen.

[From the *Continental Journal*, January 4, 1781.]

To be sold, a hearty, strong NEGRO WENCH, about twenty-nine years of age, fit for town or country.

[From the same paper, November 25, 1779.]

To be sold, a likely NEGRO GIRL, sixteen years of age, for no fault but want of employ.

[From the same paper, March 9, 1780.]

To be sold, for want of employment, an exceeding likely NEGRO GIRL, aged sixteen.

Two other advertisements will challenge the annals of slavery for their parallel:

[From the *Independent Chronicle*, December 28, 1780.]

A Negro Child, *soon expected, of a good breed*, may be owned by any person inclining to take it, and money with it.

[From the *Continental Journal*, March 1, 1781.]

To be sold, an extraordinary likely NEGRO WENCH, seventeen years old. She can be warranted to be strong, healthy, and good-natured, *has no notion of freedom*, has been always used to a farmer's kitchen and dairy, and is not known to have any failing, but being with child, which is the only cause of her being sold.

Many revolting circumstances were connected

with African slavery, even in the Southern States, where the poor negro has found more humane treatment than he has known in any other country in Christendom. Never did the sober, conservative judgment of the Southern people look upon the institution in any other light than that of a difficult problem, which could be solved only by a providential deliverance. That slave labor was more expensive than free labor was the conviction of intelligent men in every section of the South, and it will be our purpose to show that gradual emancipation was rapidly becoming the policy of the Southern States when the rabid fanaticism of New England interfered and made the experiment of loosing the bonds of the African a standing threat and a perpetual reminder of the fate of the white race in San Domingo.

But nowhere in the States of the South have we seen a condition of things that would have produced two of the advertisements we have quoted from the Boston newspapers. The separation of parents and children was sometimes inevitable, but it was a comparatively rare occurrence, and seldom, we believe, solely for mercenary motives. Slave-holders have bought negroes that they did not want, and have sold those that they did not wish to sell, in order to preserve the ties of the family relation. If an accurate census could be taken, we believe that the number of divorces among the negroes at the present time exceeds the cases of separation between husband

and wife in the former state of servitude. Be this as it may, the moral sense of a community that was not shocked by such a display of heartless cruelty and meanness as the selling of an unborn child, parting it from its mother, and shifting the burden to any mercenary creature that might be induced to take such a helpless infant for a sum of money, requires the invention of a new form of speech to describe it.

Do not these advertisements point to the source from which were derived the pictures of chains and tortures, of whips and scourges, and inhuman cruelties perpetrated in the South upon the negro slave? These "horrors of slavery" were kept before the eyes of the New England boy and girl before they were able to spell and pronounce the names of the detestable slave-holding States. Here at the fountain head of the abolition agitation, at the center of action, preparation, and propagandism, were the required materials. The very fortunes acquired in the unholy slave-trade became responsible for the funds needed to carry on "the irrepressible conflict." A monopoly of manufacturing cotton goods was swelling into millions the fortunes of the factory owners, while, according to abolition rhetoric, they were using the cotton that sympathizing nature ought to have painted with the tint of carmine to remind the world of the price of blood that was paid for its production.

We have seen that African slavery was established by law in the Colony of Massachusetts as

early as 1641. *It has never been abolished by any act of the Legislature of Massachusetts.* Precisely when the last slave was claimed, and his labor exacted without wages, we do not know. It is certain that the act of 1788, which prohibited the slave-trade, did not abolish slavery in Massachusetts. From time to time, when any negro slave was able to pay a lawyer's fee, and could institute a legal suit for his freedom, the case was decided in his favor by the courts. But so little interest was felt for the welfare of the negro that a conclusive act of emancipation was never passed by the Legislature of Massachusetts.

The laws of the State, however, did throw a number of discouragements in the way of manumission by the owner. He was compelled to give "bond and security" that the freedman would not become chargeable to the State. Pauperism was increasing; and when a slave became a freedman, he lost at once his master and his home. Old age overtaking him without property and without filial care upon which to depend, the poor-house was his home until the grave was ready to receive him. Against this charge of the paupers the community protested. Six thousand blacks in 1790 presented fearful probabilities of a large supply of paupers. They could not "lay up in store against a rainy day," for they could barely supply the day's wants by means of the day's labor. When sickness and old age came, there was a gloomy prospect for the poor discarded slave. But his master, anxious to

get rid of him in his declining years, encouraged a "suit for freedom," provoked and invited it, because in that case the freedman's *status*, being defined by a process at law, forever relieved his former master of all liability for his maintenance. The State gave the negro liberty, and was in duty bound to keep him from starving to death.

Nevertheless, the State was as narrow and cruel as the master who sought to get rid of the "unprofitable servant." A famous case in the annals of Massachusetts was decided in 1806:

> It relates to the settlement of a negro pauper who had been a slave as early as 1757, and passed through the hands of nine separate owners before 1775. From the ninth he absconded, and enlisted in the Massachusetts army among the eight months' men, at Cambridge, in the beginning of the Revolutionary War. His term of service had not expired when he was again sold, in July, 1776, to another citizen of Massachusetts, with whom he lived about five weeks, when he enlisted in the three years' service, and his last owner received the whole of his bounty and part of his wages.
>
> Edom London, for such was the name of this revolutionary patriot in 1806, was "poor," and had "become chargeable" to the town in which he resided. That town magnanimously struggled through all the courts, from the justice's court up to the supreme court of the commonwealth, to shift the responsibility for the maintenance and support of the old soldier from itself to one of the numerous other towns in which he had sojourned from time to time as the slave of his eleven masters. The attempt was unsuccessful. ("Notes," p. 19.)

In contrast with the conduct of this commonwealth of the Puritans, let us see what the benighted State of South Carolina did in the way of recognizing and rewarding meritorious action among the negroes.

In the year 1789 two negroes in South Carolina distinguished themselves by discovering specific remedies for the bite of a rattlesnake. The negroes are known by the simple but illustrious names of Cæsar and Sampson. With the roots of the plantain and wild hoarhound Cæsar made an excellent remedy; and his fellow-slave, Sampson, compounded of snakeroot and "the herb arens"—whatever that may be—an infallible plaster for the wound, while the patient swallowed a mixture of "snakeroot and polypody." These humble slaves, whose names have not been mentioned among the archives of the faculty as benefactors of mankind, were nevertheless noticed and rewarded by the Legislature of South Carolina. That "barbarian" body actually bought the freedom of both the slaves, gave them their liberty and a life annuity of £100 each!

But the State of Massachusetts, leaving her slave-holders to grow by degrees out of the inconveniences of the institution, was not only engaged in a hand to hand struggle to avoid the support of negro paupers, but she absolutely determined, at one and the same time, to prevent any more negroes from coming to the State, while she gave several hundred negro residents notice to quit her territory. Dr. Belknap, the historian, in 1795 declared that "unless liberty be reckoned a compensation for many inconveniences and hardships, the former condition of the slaves was in most cases preferable." Liberty is an excellent thing in its

place, but is a man free when he is denied the privilege of earning his bread in the calling for which he is best fitted? Who could call a negro carpenter a freeman, when in the city of Boston he was forbidden to exercise his trade because he was a colored man? In all honesty and sincerity let us look at the naked facts in the case.

In 1844, when the four New England Conferences declared that Bishop Andrew should not preside over them because he was a slave-holder, no negro mechanic, taught by his Southern master, would have been allowed to exercise his calling in Boston!

This proposition is so startling that we expect to meet the grave questionings of the reader. But the records are at hand, and the story which they tell cannot be denied or defended.

The same Legislature that passed the act to abolish the slave-trade, in 1788, also passed "An act for suppressing and punishing of Rogues, Vagabonds, common Beggars, and other idle, disorderly, and lewd Persons," wherein we find this extraordinary provision:

Be it further enacted, by the authority aforesaid, that no person being an African or negro, other than a subject of the Emperor of Morocco, or a citizen of some one of the United States (to be evidenced by a certificate from the Secretary of the State of which he shall be a citizen), shall tarry within this commonwealth for a longer time than two months, and upon complaint made to any justice of the peace within this commonwealth, that any such person has been within the same more than two months, the said justice shall order the said person to depart out of this commonwealth, and in case that the said African or

negro shall not depart as aforesaid, any justice of the peace within this commonwealth, upon complaint and proof made that such person has continued within this commonwealth ten days after notice given him or her to depart as aforesaid, shall commit said person to any house of correction within the county, there to be kept to hard labor, agreeable to the rules and orders of the said house, until the Sessions of the Peace, next to be holden within and for the said county; and the master of the said house of correction is hereby required and directed to transmit an attested copy of the warrant of commitment to the said court on the first day of their said session, and if upon trial at the said court it shall be made to appear that the said person has thus continued within this commonwealth, contrary to the tenor of this act, *he or she shall be whipped not exceeding ten stripes, and ordered to depart out of this commonwealth within ten days;* and if he or she shall not so depart, the same process shall be had and punishment inflicted, and so *toties quoties.* ("Notes," p. 228.)

The subtle irony concealed in this legislative act will be perceived when we observe that when the negro race was banished from Massachusetts two classes only were excepted. The first class were the subjects of the "Emperor of Morocco." That high-handed pirate had captured sea-faring men from New England, and in his miserable dungeons in Northern Africa there were scores of white American citizens languishing in slavery. To keep the "Emperor of Morocco" in good humor the State of Massachusetts allowed the subjects of that potentate to reside in the land of the Pilgrims!

The other exception was the "citizen of some one of the United States," and to prove that he was a citizen the fact must be "evidenced by a certificate from the Secretary of the State of which he

shall be a citizen." *Inasmuch as African slavery existed in every State in the American Union at that time*, it was simply absurd to call for a certificate of citizenship for any negro in the United States. There was not a negro citizen in America, and therefore compliance with the requirements of the law was absolutely impossible.

Pursuant to the statute made in March, the Superintendent of Police issued the following notice in September, 1788:

NOTICE TO BLACKS.

The Officers of Police having made return to the subscriber of the names of the following persons, who are Africans or negroes, not subjects of the Emperor of Morocco nor citizens of the United States, the same are hereby warned and directed to depart out of this commonwealth before the 10th day of October next, as they would avoid the pains and penalties of the law in that case provided, which was passed by the Legislature March 26, 1788. CHARLES BULFINCH, *Supt.*

*By order and direction of the Selectmen.*

The names of 165 negroes follow, only 16 of these being natives of the Southern States. In addition to the negroes, 78 Indians and mulattoes received notice to leave the State at once. No crime is alleged, no offense, except their presence in the State. They were "not wanted."

Thus the law stood in 1820, when the Legislature was again called upon to remedy the state of things consequent upon the increase of negro criminals in Massachusetts. In the State prison there was one negro for 146½ of the negro population, while the whites furnished but one criminal for

2,140 white inhabitants. That is about the proportion that exists in the prisons of the South at the present time, but "circumstances alter cases." The wise men of Massachusetts could not solve the problem, and the law of 1788 was left upon the statute book.

The great tariff issue of 1828 swallowed up all minor considerations in New England; and as South Carolina, by courageous and pertinacious opposition to this measure, became the target for the restless energy of New England philanthropists, the great abolition agitation began in 1832; and inasmuch as the banishment law of Massachusetts was a glaring witness to the insincerity of the pretense that this movement was designed for the benefit of the African race, the law was repealed in 1834.

Perhaps one of the chief factors in this repeal was the enlistment of the New England preachers in the abolition movement. England had paid about twenty millions sterling to her West India slave-holders, and the negroes were set free. Then began the period of decadence and ruin that has rendered the West India Islands almost useless to the world at large. The commerce of Jamaica in one year, a hundred years ago, exceeded the trade of all the English possessions in a decade at the present time. The momentum given to the cause of abolition by this event, and the repeal of the anti-African statute of Massachusetts, prepared the way for an active canvass.

The New England Conferences entered upon the work of agitation with singular energy and effect. In vain did the bishops of the Methodist Episcopal Church protest against the bitterness and the unchristian temper in which the campaign was carried on in the Eastern Conferences. Bishop Emory found it necessary to interpose, and he made an earnest effort to arrest the movement. In an address "To the Ministers and Preachers of the Methodist Episcopal Church within the New England and New Hampshire Annual Conferences" the bishop says:

> We have marked with deep solicitude the painful excitement which, in some parts of your section of our charge, has been producing disturbance on the subject of the immediate abolition of slavery in the slave-holding States. We are happy at the same time to be able to say that, having now, between us, attended all the Northern and Eastern Conferences as far as Troy, inclusive, we have found no such excitement, of any moment, within any of them except yours; and even within yours we know that a large and highly respectable portion of yourselves, with, we are inclined to think, a majority of our members and friends, greatly disapprove and deplore the existing agitation on this question. That a large majority of our preachers and people within those of the non-slave-holding States generally, to which our recent visitations have extended, are decidedly opposed to the modern measures of immediate abolitionists, we are well assured; and, believing as we do, that these measures have already been productive of pernicious results, and tend to the production of others yet more disastrous, both in the Church and in the social and political relations of the country, we deem it our duty to address to you a pastoral letter on the subject. ("Life of Emory," p. 279.)

Here the bishop distinctly makes the charge that the New England Conferences have disturbed the

peace of the Church, and that the vast body of Methodists in the United States were decidedly opposed to the method and the end proposed by the abolitionists. The conservative spirit of the address gives greater weight to the following wise and salutary caution:

> Enjoying as we do, in common with all our fellow-citizens, the protection of the Constitution of the United States, and the inestimable blessings resulting from the general union of the States under its happy auspices, are we not bound in conscience and honor, while we accept the benefit on one hand, to maintain on the other, in good faith, the fundamental principles of the original compact of union by which each State reserves to itself, and has guaranteed to it by all the rest, the exclusive control of its internal and domestic affairs; and for which, consequently, the citizens of other States are no more responsible than for the domestic regulations under any foreign government? Can we indeed, taking human nature and the established laws of intercourse between States and nations as they are, reasonably suppose that the peace of the country, or even of the world, can be preserved on any other principle? (*Ibid.*, p. 279.)

This is a gentle reminder that ministers of the gospel, above all other men, should be law abiding and law respecting examples to their flocks. The Constitution of the country, as the fundamental law of the land, and the law from which all other laws proceed, as the stream flows from a fountain, when once destroyed, the way to anarchy is open, and moral, social, and political ruin must follow.

But the bishop touched upon the mainspring of the abolition movement. The address continues:

> That a deep political game is involved in the present agitation of this question there are evidences too strong to be re-

sisted. Will you take it amiss, then, if we warn you against being drawn into that vortex, or suffering yourselves to be made the instruments of drawing others in? (*Ibid.*, p. 280.)

Three years after this address of Bishop Emory, in 1838, Mr. Charles G. Atherton, a member of Congress from the State of New Hampshire, offered a series of resolutions in the House of Representatives. The first of these resolutions is as follows:

*Resolved*, That this government is a government of limited powers, and that, by the Constitution of the United States, Congress has no jurisdiction over the institution of slavery in the several States of the Confederacy.

This resolution passed by 198 yeas to 6 nays, 4 of the 6 nays being from New England, and one of them was John Quincy Adams, an ex-President.

The second resolution declared that the systematic attempt to flood both houses of Congress with petitions for the abolition of slavery in the District of Columbia and the Territories was "a part of a plan of operations set on foot to affect the institution of slavery in the several States, and thus indirectly to destroy that institution within their limits." This resolution was passed by a vote of 136 yeas to 65 nays.

The third resolution was as follows:

*Resolved*, That Congress has no right to do that indirectly which it cannot do directly; and that the agitation of the subject of slavery in the District of Columbia or the Territories as a means, and with a view of disturbing or overthrowing that institution in the several States, is against the true spirit and meaning of the Constitution, an infringement of the rights of the States affected, *and a breach of the public faith upon which they entered into the Confederacy.*

This resolution was divided, and the first clause, affirming "that Congress has no right to do that indirectly which it cannot do directly," was passed by 179 yeas to 30 nays. Among the nays we find the names of nearly three-fourths of the members from New England. So uncompromising was their opposition to the Southern States that they were willing to vote for an absurd proposition, one that no statesman could advocate, and one that was inconsistent with any form of human government.

But the most significant vote in the whole series was upon the following propositions:

1. That the Constitution rests upon the broad principle of equality among the members of this Confederacy. Yeas, 180; nays, 26.

2. That Congress, in the exercise of its acknowledged powers, has no right to discriminate between the institutions of one portion of the States and another, with a view of abolishing the one and promoting the other. Yeas, 174; nays, 25.

Of the 26 nays on the first proposition, New England furnished 14; and of the 25 on the second, she furnished 16, being one-half of the members of the House from the New England States.

This party began its operations by setting the Constitution at defiance, and it is against this party of disorder and disunion that Bishop Emory cautioned the traveling preachers of the New England Conferences. But this episcopal address showed that political vandalism was coincident with the transgression of the law of love:

"Speak not evil one of another, brethren," is a sacred precept as binding on us, surely, as any other. Now are the strong de-

nunciations, which we have reason to fear are indulged in even by some ministers, against portions of their brethren who reside where the laws do not admit of emancipation, without removal, compatible either with this precept or with that common Discipline to which we have solemnly pledged ourselves to conform? (Page 280.)

But the address makes a declaration that would have caused any but the most malignant fanaticism to pause and reflect:

On a review of the whole, we are compelled to express our deliberate conviction that nothing has ever occurred so seriously tending to obstruct and retard, if not absolutely to defeat, the cause of emancipation itself; to bring upon the slaves increased rigor of treatment and privation of privileges; to overwhelm the multitudes of free colored people in the slave-holding States with persecution and banishment; to involve the friends of gradual emancipation within those States in injurious and dangerous suspicions; and, above all, to embarrass all our efforts, as well by the regular ministry as by missionary means, to gain access to and promote the salvation of both the slaveholders and their slaves. (Page 281.)

If the bishop had been disposed to bring the question home to the preachers in Massachusetts, what a terrible blow could have been delivered by reminding them that a law for the banishment of all free negroes had been upon the statute-books of Massachusetts for forty-six years, and had been repealed less than eighteen months prior to the writing of this address! But the bishop touches a very tender nerve, and his polished language does not soften the impeachment:

Were Congress even disposed forthwith and totally to abolish slavery in the District of Columbia, or the slave-holding States within themselves, yet the immediate abolitionists here insist, as we understand, that no compensation, in whole or in

part, ought to be allowed; *although it is well known that a large amount of the present property and productive capital of the Northern States has grown from the proceeds of slaves formerly sold by Northern citizens to the South;* in view of which, if universal immediate liberation be urged as a moral duty on our part, can we be surprised if a question should be made whether there is no correlative duty of restitution on the other? In other words, if all the present progeny of slaves thus sold in former years ought to be immediately discharged by those into whose hands they have come by whatsoever means, whether it is perfectly clear that there can be no corresponding obligation in equity for the restitution of the entire purchase money, with all its increase to the present day, into whatever hands it may have come, and through whatever channels? (Page 282.)

The closing appeal of the bishop proved to be but a straw darted against a whirlwind:

We entreat, therefore, that nõne of you will take part in such measures, or in any others calculated to inflame the public mind with angry passions *and stir up civil or ecclesiastical strife and disunion*, in violation of our solemn vows. And if any will persist in so doing, whether from the pulpit or otherwise, we earnestly recommend to our members and friends everywhere, by all lawful and Christian means, to discountenance them in such a course. (Page 283.)

Nevertheless, many preachers entered upon the unholy work of sowing dissension and strife. Denunciations were fulminated, and fanatic appeals made to every prejudice and passion that would serve their purposes. For some of these men we have the utmost charity, and for others we have compassion. The elder Adams had declared, only a few years before this time, that "this would be the best of all possible worlds if there was no RELIGION in it." It would be difficult to conceive of a worse state of things than the abolitionists of

New England were capable of creating. For such men as John Quincy Adams, for example, we have a large measure of charity. He was elected President of the United States by one of those political accidents that sometimes wear the face of "bargain and intrigue," and yet may be brought about by a "fortuitous concourse" of events. But when we remember the mood in which his father looked upon his own political annihilation in 1800, we mingle pity and indignation as acid and alkali unite in forming a crystal.

This anecdote is curious, but instructive:

December 13, 1803. The Reverend Mr. Coffin, of New England, who is now here soliciting donations for a college in Greene County, Tenn., tells me that when he first determined to engage in this enterprise he wrote a paper recommendatory of the enterprise which he meant to get signed by clergymen, and a similar one for persons in a civil character, at the head of which he wished Mr. Adams to put his name, he being then President, and the application going only for his name, and not for a donation. Mr. Adams, after reading the paper and considering, said he saw no possibility of continuing the union of the States; that their dissolution must necessarily take place; that he therefore saw no propriety in recommending to New England men to promote a literary institution in the South; that it was in fact giving strength to those who were to be their enemies, and therefore he would have nothing to do with it. ("Jefferson's Correspondence," Vol. IV., p. 516.)

Most men have a certain kind of admiration for a "good hater." Whether the elder Adams should be classed with these pronounced characters is a question. But if he could have foreseen that his own son, elected President by a compromise of candidates, would be ingloriously defeated by a

man from the State of Tennessee, it is likely that his opposition to the literary culture of the South would have assumed a more vigorous character.

These men, the impersonations of selfishness, because they are the greatest of fanatics, are incapable of large and generous views of any kind. John Adams was defeated by a Southern man, and the dissolution of the Union ought to follow as a matter of consequence. John Quincy Adams was defeated by a Southern man, and the keenest possible appetite for revenge distinguished his political career. Among men of the world, "the children of this generation," we look for these and similar traits, but surely the gospel of the grace of Christ should fashion and train us into a higher type of citizenship and a nobler style of civilization. But it must be confessed that the bishop's address produced but little fruit, at least so far as we can see. Certainly there was no good fruit arising from the agitation of the question of abolition. "The ultraism of immediate abolitionism has given us much trouble in two of the Conferences, and but two. I am persuaded it has done immense injury to the cause of the blacks themselves." This is the language of Bishop Emory at the time of his appeal to the conservative men of New England. Speaking of this address, Dr. Robert Emory, his son and biographer, says: "As it is a masterly exposition of the pernicious influence of modern abolitionism upon the colored population themselves, and of its inconsistency with the obligations of cit-

izens of the United States, and members of the Methodist Episcopal Church, it is here given entire."

The address was read and forgotten, doubtless, by those it was intended to benefit. The mournful fate of the unfortunate Bishop Emory, who was thrown from his horse and killed a short time after writing these affectionate counsels, ought to have given additional weight to his words of wisdom. But within ten years of his death the two protesting New England Conferences had grown to four, and the "irrepressible conflict" appeared at last in the General Conference of the Church in 1844.

At this very time, when the New England preachers could not possibly endure a slave-holding bishop, what was the *status* of the poor Africans whose banishment had been recalled on paper, but remained a memorable reality in Massachusetts? Mr. Chickering, a Massachusetts author, writing in 1846, will tell us about the benefits acruing to the negro in New England, after fifteen years of abolition agitation, and two years after the division of the Methodist Episcopal Church:

A prejudice has existed in the community, and still exists, against them on account of their color, and on account of their being the descendants of slaves. They cannot obtain employment on equal terms with the whites, and wherever they go a sneer is passed upon them, as if this sportive inhumanity were an act of merit. They have been, and are, mostly servants, or doomed to accept such menial employment as the whites decline. They have been, and are, scattered over the commonwealth, one or more in over two-thirds of all the towns; they continue poor, with small means and opportunities for enjoying

the social comforts and advantages which are so much at the command of the whites. Thus, though their legal rights are the same as those of the whites, their condition is one of degradation and dependence, and renders existence less valuable, and impairs the duration of life itself. . . . Owing to their color and the prejudice against them, they can hardly be said to receive . . . even so cordial a sympathy as would be shown them in a *slave* State, owing to their different position in society. ("Chickering's Statistical View," p. 156.) In view of these facts, it will hardly be deemed strange that the same writer calmly contemplated their extinction as a race, comforting himself with the reflection that "many instances of similar displacement are to be found in history." (Moore's "Notes," p. 223.)

Now these good brethren of the New England Conferences were aware of these facts in 1844. They must have known that, while negro slavery existed in New England, there were three females to one male—an extraordinary state of things, and one that bids defiance to the laws deducible from vital statistics. They must have known that the negro race in New England was kept alive by refugees from other States; for in 1850, after sixty years, there were fewer native blacks in Massachusetts than there were black inhabitants in 1790. The discrimination against them, the unfriendly feelings, and the direct and outspoken antipathies of white mechanics closed the doors against the negroes, and these New England brethren knew all these things. What then? Were they laboring to *destroy* the race? Certainly to follow the example of Massachusetts would result in the annihilation of the black species in America.

Was Dr. Simpson acquainted with the history

of the negro race in New England, and did he know the record of Massachusetts in particular? To deny this proposition is to give him too little credit for a broad and comprehensive intellect, well furnished with materials of constructive knowledge. Such minds as that of Dr. Simpson are never satisfied with the authority of historians of the grade of Palfrey, Ridpath, and Belknap. They go to original sources, and are content with nothing less. Was Dr. Simpson acquainted with the record of his own State of Indiana, the State of his residence for many years? If we could think of him as of a man who had strong political leanings in his youth, we might infer that the early history of Indiana had given him at least a modified view of the sin of slavery.

As early as the 8th of February, 1803, Mr. William Henry Harrison, President of a convention of the Territory of Indiana, communicated to the United States House of Representatives, through the Speaker, the memorial of said convention, "praying the suspension of the sixth article of compact between the United States and the people of that Territory, *so as to admit slavery for a time therein*, together with a petition of the inhabitants of the said Territory to the same effect." Read and referred to a committee consisting of Messrs. John Randolph, of Virginia; Griswold, of Connecticut; Williams, of North Carolina; Morris, of Vermont; and Hoge, of Pennsylvania.

The North Carolinians that Bishop Simpson tells

us ran away from the old North State to get out of the atmosphere of slavery can hardly be chargeable with this action of the Indiana population in 1803. At that time the tide had not begun to flow from the land of Raleigh's conquest toward the prairies of the great West.

Let us listen to the report of John Randolph, of Virginia, on this proposition to introduce African slavery into the Territory of Indiana. The document is worthy of a complete recital:

> That the rapid population of the State of Ohio sufficiently evinces, in the opinion of your committee, that the labor of slaves is not necessary to promote the growth and settlement of the colonies in that region; that this labor, demonstrably the dearest of any, can only be employed to advantage in the cultivation of products more valuable than any known to that quarter of the United States; that the committee deem it highly dangerous and inexpedient to impair a provision wisely calculated to promote the happiness and prosperity of the northwestern country, and to give strength and security to that extensive frontier. In the salutary operation of this sagacious and benevolent restraint, it is believed that the inhabitants of Indiana will, at no very distant day, find ample remuneration for a temporary privation of labor and immigration. From such a consideration as they have been enabled to bestow on the subject at this late period of the session, and under the pressure of accumulating business, they recommend the following resolution, which is respectfully submitted to the judgment of the House:
>
> *Resolved*, That it is inexpedient to suspend, for a limited time, the operation of the sixth article of compact between the original States and the States west of the Ohio.

Thus it appears that a Southern slave-holder protected the people of Indiana against themselves, and African slavery was excluded from the Con-

ference territory represented by Bishop Simpson, *against the unanimous desire of the citizens of the territory.*

But the following year (1804), in the first session of the Eighth Congress, the memorial was renewed. In answer to the petition Mr. Rodney, of Delaware, offered a report favoring the suspension of the anti-slavery article for ten years, and giving admission to African slaves born in the United States, so that the Territory of Indiana might for the time being enjoy the benefits of the institution of slavery. But the report was not acted upon.

Again, in 1805, the people came before Congress with a petition and memorial, praying the establishment of slavery in Indiana. The committee to whom the memorial was referred made a report in favor of granting the prayer of the petitioners, but no action was taken on the report. Not discouraged, however, by repeated and successive failures, the authorities of the Territory came before the Congress of the United States with an appeal and an argument that would seem to be effective. On the 20th of January, 1807, a series of resolutions from Indiana were laid before the House:

*Resolved unanimously*, by the Legislative Council and House of Representatives of the Indiana Territory, that a suspension of the sixth article of compact between the United States and the Territories and States north-west of the river Ohio, passed the 13th day of July, 1787, for the term of ten years, would be highly advantageous to the said Territory, and meet the

approbation of at least nine-tenths of the good citizens of the same.

*Resolved unanimously*, That the suspension of the said article would be equally advantageous to the Territory, to the States from whence the negroes would be brought, and to the negroes themselves.

*Resolved unanimously*, That the citizens of this part of the former North-western Territory consider themselves as having claims upon the indulgence of Congress, in regard to a suspension of the said article, because at the time of the adoption of the ordinance of 1787, slavery was tolerated, and slaves generally possessed by the citizens then inhabiting the country, amounting to at least one-half of the present population of Indiana, and because the said ordinance was passed in Congress when the said citizens were not represented in that body, without their being consulted, and without their knowledge and approbation.

These resolutions, and others accompanying the memorial, were referred to a committee, and a favorable report was presented, but not acted upon. With this report closes one of the most remarkable chapters of American history. Did Dr. Simpson have that chapter in mind when he sat silent and pensive in the General Conference of 1844? As a man of large reading and inclined to independent investigation, it was due to himself and to the Church at large that from an unprejudiced quarter some of these embarrassing facts should appear upon the record of the debate. Such a statement of facts would have given variety to a somewhat prosy discussion. The Southern men on that occasion might have been restrained by a variety of causes, chiefly because they were not politicians. There was not a man among them who had ever been

made the trusted adviser of a President. Not a man among them who had assumed the role of an ecclesiastical guide through the mazes of that labyrinth in which politics sanctifies religion, or religion sanctifies politics, or they sanctify each other, and successful acquisition justifies all things, politics and religion combined.

Those Southern delegates were Methodist preachers, and they were nothing more. If any man among them had made a stump speech, it was Dr. Winans; but the memory of that event has perished, while the grand, massive sermons of the Mississippi preacher remain as a monument of his greatness. Really Dr. Simpson, who had eclipsed the professors in a Western college within two months after his introduction to the "halls of learning," ought to have been well informed and thoroughly prepared to stay the advancing tide that was bearing down upon the helpless minority of the South. Not a man in that minority represented a people who had knocked, and knocked again, and a third and fourth time knocked in vain, begging that the institution of slavery might be established among them "for the benefit of the negroes themselves."

If the free negroes who were "not wanted" in Massachusetts could have been transferred to Indiana Territory, even as the property of kind masters, their condition would have been greatly improved.

But why was Dr. Simpson silent in 1844? The

time had come for the modest but eloquent college President to speak forth "the words of truth and soberness." Never in a life-time does such an occasion repeat itself. He was the representative of a State that had struggled in its infancy against many untoward influences; and finally its citizens, fearful of being distanced by the Territories around them, held out their suppliant hands to the slave-holders of the South and begged them to remove the barriers that excluded African slavery from the rich prairies west of the Ohio.

What a graphic picture the eloquent Simpson could have painted before the General Conference of 1844! Indiana stretching out her hands and begging for the boon of African slavery, while a Southerner and slave-owner stands beseeching her to reconsider her request, and while assuring her that slave labor was the most costly labor in the world, expresses his profound conviction that free labor and free institutions would, in no great time, build a magnificent empire within the fertile plains of Indiana! No man in that Conference could have placed himself with so much grace and propriety between the advancing hosts of New England and the resisting, but overpowered representatives of the South. If we can possibly imagine that the New England delegates were unacquainted with the history of African slavery in Massachusetts, Dr. Simpson was the man to unlock the treasures of the past, while in fearless conservatism he sketched the present attitude of the helpless and

dishonored freedmen. In strong, graphic, and persuasive sentences he could have brought within the compass of an hour the statement and the proof of these propositions:

1. That the first ship, the first crew, and the first town in America to engage in the African slave-trade belonged to New England.

2. That the only colony in North America that in its corporate capacity engaged in the slave-trade was the Colony of Massachusetts.

3. That the only people in America who sold captive Indians, through slave-traders, on the coast of Africa, and brought negroes into slavery by way of exchange, were the people of New England.

4. That the first law that established African slavery in America was the act of the General Court of Massachusetts in 1641.

5. That slavery and the slave-trade flourished in Massachusetts just so long as it was believed that slave-labor was profitable to the colony, and that when the discovery was made that the cost of the care of the slave in sickness and old age overbalanced the profits to be made out of his service in his youth and prime, the institution of slavery began to decline, and perished at last by implication and not by any act of the Legislature of Massachusetts.

6. That the State of Virginia abolished the African slave-trade in 1778, while Massachusetts trifled with the subject from year to year, and finally, in 1788, followed the example of Virginia.

7. That the act which abolished the slave-trade did not abolish property in slaves in Massachusetts, but left the whole matter in such questionable shape that the penniless slave was compelled to sue his master for his freedom, if he could beg or borrow a sum equal to a lawyer's fee.

8. That the Legislature that abolished the African slave-trade in the same session banished the helpless Africans from the State, and closed the territory of Massachusetts to African negroes under heavy and degrading penalties.

9. That when the negroes of Massachusetts, who had fought for liberty for the whites in the Revolutionary War, were reduced to pauperism, whole communities struggled with each other in the courts of the State, striving to avoid the payment of the poor pittance which maintained a revolutionary patriot in the poor-house.

10. That by public proclamation more than one hundred and sixty negroes, in some instances whole families, were banished from the State and forbidden to return, under the penalty of ten lashes, to be administered for every ten days' residence in the State after notice to leave had been given.

11. That the people of Massachusetts in 1820 declared that the negroes furnished one criminal for every 146½ of their population, while the whites had but one for every 2,140 white persons, whereupon a legislative committee, after denouncing the banishment law of 1788 as a barbarous act, despaired of finding a better remedy for the evil, and the cruel act was allowed to remain until 1834.

12. That the abolition crusade led to the repeal of the African prohibitory law, but the condition of the freedmen of Massachusetts, at the time of the sitting of the Conference in 1844, was declared by New England authorities to be worse than it was in the time of slavery.

We do not suppose that the statement of these facts would have altered the position of the New England brethren. They had been sent to the General Conference with a protest that could not be amended, and whatever their individual opinions might be, they knew the temper of their constituents. Silas Comfort, of the Oneida Conference, felt very confident that there would be no division of the Church, even in the event that Bishop Andrew was deposed. "When the word 'division' was first uttered, it waked up in his bosom emotions utterly indescribable and irrepressible. These emotions had passed away, and at present he could not say he had any apprehension as to the unity of the Church; and he believed that, so long as the President occupied that chair as senior bishop of the Methodist Episcopal Church he would preside in the General Conference of the whole Methodist Episcopal Church."

Mr. Comfort was the prophet of the North, and Dr. George F. Pierce of the South. Mr. Comfort prophesied that there would be no division, and it was provided for within ten days. Dr. Pierce said, "Let New England go;" and he ventured to prophesy that when division came, "that in ten

years from this day, and perhaps less time, there will not be left one shred of the distinctive peculiarities of Methodism in the Conferences that depart from us. The venerable man who now presides over the Northern Conferences may live out his time as a bishop, but he will never have a successor."

There was a wide distance between the points of view taken by these two prophets, and both of them proved to be uninspired men. The Church *was* divided and the senior bishop did have a successor, and many of them. A grand line of worthy and well-qualified men have filled the place that Bishop Soule occupied. Dr. Crooks twits us with the failures of our prophet, but does not notice the mistakes of his own.

Upon the whole, we do not see that the battle of 1844 could be fought anew with any better results. The Northern branch of the Church has gone forward with a degree of enthusiasm that guaranteed success. She has taken possession of every foot of territory that was accessible; and, with the exception of the Southern work, the event has fully justified every enterprise she has undertaken.

It may be in the plan of Divine Providence to supplant every inferior race by a superior type of humanity in every part of the globe. The American Indian, the New Zealander, the Australasian, and, in their season, the natives of the lands that lie outside of Christendom, must abide by the inexorable laws of competition. The Indian and the

natives of Australasia have given way before the activities of a superior race. The Caucasian comes to rule wherever he pitches his tent and plants a roof-tree. As efficient allies in this great movement, our brethren of the North have taken a conspicuous position in the Southern States. They have expended immense sums of money, and they have employed some of the finest specimens of self-sacrificing pioneers, whose talents qualified them for any mission and for any pulpit. Whether these labors are to be signalized by accomplishing what the world has never seen before, or whether they will tend to a gentle ministration in the euthanasia of a race, time only will determine.

Meantime, it is proper that the Southern view of these questions, and especially a correct presentation of the historical *data* preceding, attending, and following the division of the Church, should be placed before our own people. For these we write, and the reason for the existence of the Southern Methodist Episcopal Church will not be fully stated without an additional paper. In that article we propose to examine the question whether the division of 1844 had any thing to do with the civil war of 1861–65. The place that Bishop Simpson occupied in that struggle, which Dr. Crooks tells us he had seen rehearsed in the General Conference of 1844, will require distinct and definite treatment.

# CHAPTER V.

A Popular Error—No Connection between the Division in 1844 and the Civil War—Separation Tended to Allay Excitement—The South Sends a Fraternal Messenger—Rejected by the North—Struggle of 1861 Inevitable from the Beginning—Two Theories of Government—One Paternal, Monarchial, without Checks upon Legislation—The Other Republican, Limited by Constitutional Guards—Mr. Jefferson Defines the Principles of the Two Parties in 1798—Rules for Interpretation of the Federal Compact—Liberty of the Citizen—Mr. Jefferson's Political Creed—Virginia and Kentucky Resolutions, How Originated—French Arrogance and British Injustice—Alien and Sedition Laws—Liberty of the Person and of the Press Involved—Votes on the Two Bills—The South Against, New England in Favor of These Laws—Clear Demarkation of Party and Sectional Lines—Text of the Virginia Resolutions—Kentucky Resolutions, Written by Mr. Jefferson—Forwarded to the States—Replies.

IN our first article we quoted a paragraph from the biography of Bishop Simpson, and we recur to that paragraph for the purpose of refuting a popular opinion. We say a "popular opinion," because it is held in both sections of the country, North and South. In the South it is entertained by those who have no kindly feeling for the Methodist Church. In the North this unfriendly feeling is reserved for the *Southern* Methodist Church; and we have no cause for surprise, in either case, if the power of prejudice should pay little attention

to the facts of history or the claims of justice. Dr. Crooks says:

> The schism in the Church not only preceded in time, but led on to the greater schism: the attempt to create two nations out of one. What wearied Bishop Simpson was to witness the preliminary rehearsal of the struggle from 1861 to 1865.

We do not propose to examine, in detail, the question whether the division of the Church in 1844 was in any proper sense a "schism." If we attach the proper meaning to the word "schism," it is quite clear that the Southern Conferences did not contemplate any thing of the kind. Their conduct at the time, and subsequently, disproves the charge.

Abraham and Lot, because of the divisions existing among their respective servants, agreed to separate; and they selected, each for himself, a place of residence—one to the right, the other to the left of their former possession. Did they commit "schism" in so doing? They divided the flocks and herds belonging to them, in order to preserve peace and harmony. Did the followers of Mr. Wesley commit "schism" by organizing a Society, a Church for Christian fellowship and the worship of God? We have been accustomed to hear this charge made by the enemies of Methodism, but it would certainly be a novelty if it proceeded from any person who calls himself a Methodist. "Schism" is division, undoubtedly; and the worst kind of "schism" is that which is confined between the same ecclesiastical walls, pro-

ducing every form of unseemly strife and contention. To avoid these divisions in the collective body of the Church, the wisdom of 1844 provided for a plan of peaceful separation into two bodies. Each of these Churches respecting and esteeming the other, all the demands of Christian charity and fraternity could be provided for in the intercommunion of ministers and members.

In obedience to this conception of the "Plan of Separation," the first General Conference of the Southern Church appointed a fraternal delegate, in the person of Rev. Lovick Pierce, who attended the General Conference of the Northern Church in 1848, and was politely but firmly *rejected*, and denied an opportunity to carry the fraternal greetings of Southern Methodism. If there was at any time a "schism" in the Church, surely it occurred in 1848, when the loving tender of fraternal friendship was repelled, and the communion of love and peace disowned by our brethren of the North!

But Dr. Crooks tells us that the "schism" of 1844 "led on to the greater schism: the attempt to create two nations out of one." With this assertion we are bold enough to join issue. Whatever the character of the action in 1844 might have been, we maintain that it had no influence whatever in producing the "schism" of 1861. There is a sense, perhaps, in which all human events that precede in point of time may be said to "lead on to" every event that happens at a later period. It is manifest, however, that our biographer means to

tell us that the division of the Church in 1844 was the *cause* of the Civil War in 1861. So strongly is the language of Dr. Crooks charged with this idea that he is betrayed into a sentence of curious English. He says that Dr. Simpson was wearied out by the task of witnessing "the preliminary rehearsal of the struggle from 1861 to 1865." In what sense a debate on the Conference floor in New York City can be said to be a "rehearsal of a struggle" in which more than a million of lives were lost, and untold millions of property values destroyed, we confess ourselves at fault in attempting to discern.

There is a connection, doubtless, between the assassination of the Duke D'Enghien and the battle of Waterloo; as it would be possible to trace some relation between the death of Prince Henry, the favorite son of James I., and the establishment of the English Commonwealth under Lord Protector Cromwell. The character of the wrong-headed man who threatened the independence of every State in Europe, and even aspired to the dominion of the world, may in some sort be shadowed forth in the murder of a lawful competitor for his crown, precisely as the end of his ambitions and his triumphs may be seen in the battle which embodied Europe's answer to his audacious challenge. But it would be regarded as a singular expression of opinion if any historian should assign the murder of the duke as the cause of Napoleon's defeat at Waterloo. In like manner we may read-

ily acknowledge the possibility of a different state of political affairs in England if the amiable Prince Henry had succeeded to the throne of Great Britain in 1626. But what would the reader think of the historian who attempted to find in the death of the son of James I. the cause of the faithlessness and vicious kingcraft which led to the "Great Rebellion," and ultimately to the clear definition and actual realization of political and civil liberty in England?

We believe that the struggle which culminated in 1865 was inevitable from the beginning of the country's history. Either in that or some equivalent form the contending forces must have resorted to the "dread arbitrament of war." The occasion, the pretext, and the approximate cause are terms that amount to the same thing, when we consider the character of any civil war. It was a struggle for existence, and there could be no compromises in its issue. We shall not venture here to pronounce a judgment upon the actors on either side. The conquerors and the conquered are alike entitled to the only justification which can make a defense for human actions. Both parties believed that they were fighting for the truth, and the severity of the contest was a tribute to the sincerity of the convictions which produced it. But that contest would have occurred if the Methodist Church had never been organized in this country. We may go farther, and assert that a civil war would have occurred, sooner or later, even if an African slave had never existed in North America.

The real *cause* of the struggle was the existence of two theories of government—theories irreconcilable with each other and incapable of mutual tolerance. The watch-words of political organizations are the offspring of the hour, and may perish with the occasion that employed them; but the principles of constitutional parties are imperishable. Appertaining to the organic government of the land, they may change their form, but never lose their essential character. The zeal, ability, and success of the advocates of any great party system will lead to greater or less modifications of particular measures, in accordance with the wisdom that may direct the councils of the party; but temporary defeats often prepare the way for future victory. But we do not allude to *administrative* measures—whether or not the country shall maintain a particular tariff, for example. These may be advocated to-day and repudiated to-morrow, by the same party, without incurring the odium of inconsistency. Times change, and administrative measures change with them. If the tariff of 1890 had been enacted by the first American Congress in 1789, another rebellion would have followed that of 1776. The mildest form of tariff "protection" was branded as "intolerable oppression" in 1790.

There were two parties with widely diverging views of constitutional government in 1787, as there are two parties maintaining the same opinions in 1891. Thomas Jefferson became the leader of one of these parties, and it is from his pen

that the first chapter of the history of our Civil War must be taken:

The fact is that at the formation of our government many had formed their political opinions on European writings and practices, believing the experience of old countries—and especially of England, abusive as it was—to be a safer guide than theory. The doctrines of Europe were that men in numerous associations cannot be restrained within the limits of order and justice but by forces, physical and moral, wielded over them by authorities independent of their will. Hence their organization of kings, hereditary nobles, and priests. Still further to restrain the brute forces of the people, they deem it necessary to keep them down by hard labor, poverty, and ignorance; and to take from them, as from bees, so much of their earnings as that unremitting labor shall be necessary to obtain a sufficient surplus barely to sustain a scanty and miserable life. And these earnings they apply to maintain their privileged orders in splendor and idleness, to fascinate the eyes of the people, and excite in them a humble adoration and submission as to an order of superior beings. Although few among us had gone all those lengths of opinion, yet many had advanced—some more, some less—on the way. And in the convention which formed our government they endeavored to draw the cords of power as tight as they could obtain them, to lessen the dependence of the general functionaries on their constituents, to subject to them those of the States, and to weaken their means of maintaining the steady equilibrium which the majority of the convention had deemed salutary for both branches, general and local. To recover, therefore, in practice the powers which the nation had refused, and to warp to their own wishes those actually given, was the steady object of the Federal party. Ours, on the contrary, was to maintain the will of the majority of the convention, and of the people themselves. We believed, with them, that man was a rational animal, endowed by nature with rights, and with an innate sense of justice; and that he could be restrained from wrong and protected in right by moderate powers, confided to persons of his own choice, and held to their duties by dependence on his own will. We believed that the complicated organization of kings, nobles, and priests was not the wisest nor best

to effect the happiness of associated man; that wisdom and virtue were not hereditary; that the trappings of such a machinery consumed, by their expense, those earnings of industry they were meant to protect; and by the iniquities they produced, exposed liberty to sufferance. We believed that men, enjoying in ease and security the full fruits of their own industry, enlisted by all their interests on the side of law and order, habituated to think for themselves and follow their reason as their guide, would be more easily and safely governed than with minds nourished in error and vitiated and debased, as in Europe, by ignorance, indigence, and oppression. The cherishment of the people, then, was our principle; the fear and distrust of them that of the other party. Composed, as we were, of the landed and laboring interests of the country, we could not be less anxious for a government of law and order than were the inhabitants of the cities, the stronghold of Federalism. . . . I have stated above that the original objects of the Federalists were (1) to warp our government more to the form and principles of monarchy and (2) to weaken the barriers of the State governments as co-ordinate powers. In the first they have been so completely foiled by the universal spirit of the nation that they have abandoned the enterprise, shrunk from the odium of their old appellation, taken to themselves a participation of ours, and under the pseudo-republican mask are now aiming at their second object; and, strengthened by unsuspecting or apostate recruits from our ranks, are advancing fast toward an ascendency. I have been blamed for saying that a prevalence of the doctrines of consolidation would one day call for reformation or *revolution*. I answer by asking if a single State of the Union would have agreed to the Constitution had it given all powers to the general government, if the whole opposition to it did not proceed from the jealousy and fear of any State of being subjected to the other States in matters merely its own. And is there any reason to believe the States more disposed now than then to acquiesce in this general surrender of all their rights and powers to a consolidated government, one and undivided? ("Jefferson's Correspondence," Vol. IV., pp. 369, 371.)

In regard to the rule of construction by which the

Federal Constitution should be interpreted, his doctrine was explicit:

There are two canons which will guide us safely in most cases:

1. The capital and leading object of the Constitution was to leave with the States all authorities which respected their own citizens only, and to transfer to the United States those which respected citizens of foreign or other States; to make us several as to ourselves, but one as to all others. In the latter case, then, constructions should lead to the general jurisdiction, if the words will bear it; and in favor of the States in the former, if possible to be so construed. And, indeed, between citizens and citizens of the same State, and under their own laws, I know of but a single case in which a jurisdiction is given to the general government. That is, when any thing but gold or silver is made a lawful tender, or the obligation of contracts is any otherwise impaired. The separate Legislatures had so often abused that power that the citizens themselves chose to trust it to the general government, rather than to their own special authorities.

2. *On every question of construction, carry ourselves back to the time when the Constitution was adopted, recollect the spirit manifested in the debates, and instead of trying what meaning may be squeezed out of the text, or invented against it, conform to the probable one in which it was passed.* (*Ibid.*, p. 373.)

In regard to the rights and personal liberty of the citizen, Mr. Jefferson was equally explicit:

Our legislators are not sufficiently apprised of the rightful limits of their powers: that their office is to declare and enforce only our natural rights and duties, and to take none of them from us. No man has a natural right to commit aggression on the equal rights of another; and this is all from which the laws ought to restrain him. Every man is under the natural duty of contributing to the necessities of the society, and this is all that the laws should enforce on him; and no man having a natural right to be the judge between himself and another, it is his natural duty to submit to the umpirage of an impartial third. When

the laws have declared and enforced all this, they have fulfilled their functions, and the idea is quite unfounded that on entering into society we give up any natural right. The trial of every law by one of those texts would lessen much the labors of our legislators, and lighten equally our municipal codes. (*Ibid.*, p. 278.)

In a conversation with President Washington, in the year 1792, Mr. Jefferson exhibits the ruling trait of the party opposed to his views. It was the beginning of a process of evolution which clearly identifies the Federal theory of government with that which triumphed at the close of the Civil War in 1865:

I told him that they had now brought forward a proposition far beyond every one ever yet advanced, and to which the eyes of many are turned, as the decision which was to let us know whether we live under a limited or an unlimited government. He asked me to what proposition I alluded. I answered: "To that in the report on manufactures, which, under color of giving *bounties* for the encouragement of particular manufactures, meant to establish the doctrine that the power given by the Constitution to collect taxes to provide for the *general welfare* of the United States, permitted Congress to take every thing under their management which *they* should deem for the *public welfare*, and which is susceptible of the application of money; consequently, that the subsequent enumeration of their powers has not the description to which resort must be had, and did not at all constitute the limit of their authority." (*Ibid.*, p. 457.)

As Mr. Jefferson was the acknowledged leader of the party that advocated a strict construction of the Federal Constitution, and believed that the perpetuity of the Union depended upon this rigid adherence to the letter and the spirit of the Federal Compact, it will be necessary to examine his declaration of principles made some years after

the foregoing conversation was held. Writing to Elbridge Gerry in 1799, he says:

I do, then, with sincere zeal, wish an inviolable preservation of our present Federal Constitution, according to the true sense in which it was advocated by its friends, and not that which its enemies apprehended, who, therefore, became its enemies; and I am opposed to the monarchizing features by the forms of its administration, with a view to conciliate a first transition to a President and Senate, for life, and from that to an hereditary tenure of these offices, and thus to worm out the elective principle. I am for preserving to the States the power not yielded by them to the Union, and to the Legislature of the Union its constitutional share in the division of powers; and I am not for transferring all the powers of the State to the general government, and all those of that government to the executive branch. I am for a government rigorously frugal and simple, applying all the possible savings of the public revenue to the discharge of the national debt; and not for a multiplication of officers and salaries merely to make partisans, and for increasing, by every device, the public debt, on the principle of its being a public blessing. I am for relying, for internal defense, on our militia solely, till actual invasion, and for such a naval force only as may protect our coasts and harbors from such depredations as we have experienced; and not for a standing army in time of peace, which may overawe the public sentiment; nor for a navy which, by its own expenses, and the eternal wars with which it will implicate us, will grind us with public burdens, and sink us under them. I am for free commerce with all nations; political connection with none; and little or no diplomatic establishment. And I am not for linking ourselves by new treaties with the governments of Europe; entering that field of slaughter to preserve their balance, or joining in the confederacy of kings to war against the principles of liberty.

I am for freedom of religion, and against all maneuvers to bring about a legal ascendency of one sect over another; for freedom of the press, and against all violations of the Constitution to silence by force and not by reason the complaints or criticisms, just or unjust, of our citizens against the conduct of their agents. And I am for encouraging the progress of sci-

ence in all its branches; and not for raising a hue and cry against the sacred name of philosophy, for awing the human mind by stories of rawhead and bloody bones to a distrust of its own vision and to repose implicitly on that of others, to go backward instead of forward to look for improvement; to believe that government, religion, morality, and every other science were in the highest perfection in days of the darkest ignorance, and that nothing can ever be devised more perfect than what was established by our forefathers. (*Ibid.*, Vol. III., p. 408.)

Many of our readers are familiar with the history of the famous Virginia and Kentucky Resolutions of 1799. But there are many persons to whom the history of these famous Resolutions is unknown. Mr. Jefferson was the author of the Kentucky Resolutions, and Mr. Madison of the Virginia Resolutions. He became their apologist and advocate, writing in their defense one of the ablest State papers to be found in the archives of our country. It has often been asserted that these Resolutions were designed as the initial step toward the dissolution of the Union. The authors and the apologists of this famous paper have appealed to the candor of the world in opposition to the invidious criticism from every quarter.

The Virginia and Kentucky Resolutions were written in 1798–99, and formed a vigorous protest against the action of the Congress in the preceding year, by which the Alien and Sedition laws became parts of the law of the land. Few of our readers will be able to recall the intent and purpose of these enactments, called the Alien and Sedition laws. Party spirit raged to an extent scarce-

ly conceivable by the bitterest partisans of our own time. More than once the venerable Washington threatened to resign the presidency and to retire from the heat and fury of the political contest. Every crime in the catalogue of wickedness was boldly attributed to the leaders of the parties of that day. Jefferson and the elder Adams, as the recognized leaders of the two great parties, were slandered without mercy and without the slightest compunction of conscience. We may imagine the force of this bitter abuse and vituperation as they were applied to lesser lights by reflecting that the pure and spotless character of Washington would have been besmirched had not the indignant voice of the nation held the vile calumniators in check.

The French Revolution was then passing into the stage which provided for the usurpation of Napoleon Bonaparte. The French Directory, a combination of venal time-servers and self-seeking demagogues, had sorely wounded the feelings and challenged the self-respect of the American people. Within the United States, and under the very shadow of the national capitol, a French embassador had boldly ventured to raise and equip regiments of soldiers and to collect materials of war to be used against Great Britain, a country at peace with the United States. Under pretense of a treaty of alliance made in the War of the Revolution, this audacious Frenchman sought to make the United States a party to the contest with England. He was so bold and insolent as to take

even President Washington to task for refusing to comply with his absurd demands, and publicly held up our government to the scorn and ridicule of the world. That this conduct was calculated to prejudice our people against all aliens of every country is a natural inference. The desire to escape the fury of domestic libelers and partisan slanderers is also a natural outcome of years of misrepresentation and detraction. But the party in power in 1798 miscalculated the remedy, and added wrong to wrong by the enactment of the Alien and Sedition laws.

By the first of these statutes the President of the United States was clothed with powers and prerogatives unknown outside of a purely arbitrary and despotic monarchy. If the President should judge any alien to be "dangerous to the peace and safety of the United States," or if the President had "reasonable grounds to suspect" such alien of entering into "any treasonable or secret machinations against the government of the United States," the President was authorized to banish the suspected man from the territory of the United States. If the aforesaid alien, after notice of banishment, "and not having obtained a license from the President to reside therein," continued so to do, he was placed upon trial, not for the treason suspected, *but for the fact of remaining in the country after having received notice of banishment.* If convicted of residing in the country contrary to the order of the President, he was punished by an imprisonment

not exceeding three years and forever incapacitated from becoming a citizen of the United States! If the suspected alien could prove *to the satisfaction of the President* that "no injury to the United States" would accrue by reason of his residence in the country, the President was authorized to give the alien a permit to remain for a certain length of time and to dwell at such place as the President might select.

If a suspected alien, not having the President's permit to reside in the country, should be sent to jail as a punishment, the Alien law authorized the President to order the man to be sent out of the country by force; and if the deported alien should presume to return, he was liable to imprisonment during the good pleasure of the President.

We can scarcely find in modern history a parallel for such an enactment as the Alien law. Objectionable persons, classes, or races may be excluded from the territory of a people for causes assigned and declared in the premises. But to arrest individuals upon the bare suspicion of hostility to the party in power, for this was the real meaning of the act, is a measure that could only find favor or apology in the land of the Czars. To clothe one man, the head of a party as well as the executive officer of the nation, with judicial powers, making him the judge, the jury, the witness, and the sheriff to execute vengeance upon a person whose proved offense was only his residence in the country, is certainly a proceeding unknown

to the annals of any nation enjoying the blessings of peace and liberty.

As the Alien law placed every foreigner in the United States at the mercy of the President, so the Sedition law placed every American citizen in the power of the courts simply for expressing opinions and uttering criticisms upon the conduct of the party in power. The gravity of this statement requires an exact quotation from the statute itself:

SEC. 2. That if any person shall write, print, utter, or publish, or shall cause or procure to be written, printed, uttered, or published, or shall knowingly and willingly assist or aid in writing, printing, uttering, or publishing any false, scandalous, and malicious writing or writings against the government of the United States, or either House of the Congress of the United States, or the President of the United States, with intent to defame the said government, or either House of the said Congress, or the said President, or to bring them, or either of them, into contempt or disrepute; or to excite against them, or either or any of them, the hatred of the good people of the United States; or to stir up sedition within the United States; or to excite any unlawful combinations therein for opposing or resisting any law of the United States or any act of the President of the United States done in pursuance of any such law or of the powers in him vested by the Constitution of the United States; or to resist, oppose, or defeat any such law or act; or to aid, encourage, or abet any hostile designs of any foreign nation against the United States, their people, or government; then such person, being thereof convicted before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding two thousand dollars and by imprisonment not exceeding two years.

Perhaps the most remarkable feature in this most remarkable enactment is the fact that by Sec. 4 it was declared "*That this act shall continue and be in force until the third day of March, one thou-*

*sand eight hundred and one, and no longer.*" In other words, the Sedition law should exist precisely for the use and service of President John Adams, his presidential term expiring on the very day named for the expiration of the Sedition law! Could any statement declare in stronger terms that the purpose of the act was solely to meet the necessities of the party in power?

If we examine closely the wording of this act, we will find it to be a complete and absolute declaration against the freedom of speech and the freedom of the press. Laws of libel are essential in any country that enjoys any measure of civil or social liberty, but so artfully is this Sedition law contrived that every opponent of the party in power was liable to arrest, arraignment, trial before a partisan jury, and conviction under the dictation of a partisan judge. It was sufficient if the sentence spoken or printed was uttered with the "*intent* to defame" or to bring into "contempt or disrepute" the President, the Congress, or the *government* of the country. Deplorable as the conduct of partisan politics often is, severely as we condemn the absurd and wicked slanders that are often propagated, and greatly as all honest men desire to see a reformation in this regard, surely the liberties of the people constitute too great a price to pay for abstention from acts calculated to "defame" or to bring President or Congress "into contempt or disrepute!"

This Alien law passed the Senate by a vote of sixteen yeas to seven nays. Every Senator voting

against the bill was a Southern man. Every Senator from New England voted *for* the bill. In the House of Representatives twenty-three members from New England voted *for* the bill, and *two* against it. Of the Southern members, nine voted *for* the bill, and twenty-nine against it. Thus we see the early alignment of parties on a grave issue which contained in itself the question of the genius of the Federal Government. Of the forty-six yeas that passed the bill, twenty-three were from New England; of the forty negative votes, twenty-nine were from the Southern States. Of the sixty-two votes in the affirmative in both Senate and House, thirty were from New England; and of the forty-seven negative votes, only two were from New England! On the other hand, of the forty-seven negative votes, thirty-six were from the South; and of the sixty-two yeas, only fourteen were from the Southern States, Maryland and Delaware being responsible for one-half of the fourteen affirmative votes.

As the same general principle was at stake in the Sedition bill, we find the vote almost the same. There were sixty-two yeas—eighteen in the Senate and forty-four in the House. In the Senate vote every negative but one was from the South. In the two Houses New England gave thirty-two affirmative and two negative votes. The Southern States furnished thirty-one negative and ten affirmative votes, Maryland and Delaware furnishing six out of the ten affirmative votes.

No clearer or broader distinction could be furnished or desired. The people of the Southern States were followers of Jefferson, Madison, and Monroe, and adhered to the doctrine of a Federal union defined and limited by the compact of the Constitution. Under this great charter of the nation the rights, powers, and duties of State and Federal Government are distinctly defined. To go beyond their limitations, either by violent assumption of authority in the face of the letter of the Constitution, or to accomplish by indirect means the objects confessedly denied by the plain letter of the compact, was, in either case, usurpation of power.

James Madison was thoroughly conversant with every measure relating to the formation of the Federal Constitution. Present as a Representative from Virginia, he was one of the framers of the instrument, and no man was better entitled to speak upon the subject with authority. As the author of the celebrated "Virginia Resolutions" he expressed the deep-seated conviction of the great body of the people of the United States in regard to the Alien and Sedition laws. We copy this important paper:

IN THE VIRGINIA HOUSE OF DELEGATES, FRIDAY, DECEMBER 21, 1798.

*Resolved*, That the General Assembly of Virginia doth unequivocally express a firm resolution to maintain and defend the Constitution of the United States, and the Constitution of this State, against every aggression, either foreign or domestic; and that we will support the Government of the United States in all measures warranted by the former.

That this Assembly most solemnly declares a warm attachment to the union of the States, to maintain which it pledges its powers; and that for this end it is their duty to watch over and oppose every infraction of those principles which constitute the only basis of that union, because a faithful observance of them can alone secure its existence and the public happiness.

That this Assembly doth explicitly and peremptorily declare that it views the powers of the Federal Government, as resulting from the compact, to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no further valid than they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable, and dangerous exercise of other powers, not granted by said compact, the States, who are parties thereto, have the right, and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining within their respective limits the authorities, rights, and liberties appertaining to them.

That the General Assembly doth also express its deep regret that a spirit has, in sundry instances, been manifested by the Federal Government to enlarge its powers by forced constructions of the constitutional charter which defines them; and that indications have appeared of a design to expound certain general phrases (which, having been copied from the very limited grant of powers in the former Articles of Confederation, were the less liable to be misconstrued) so as to destroy the meaning and effect of the particular enumeration which necessarily explains and limits the general phrases, and so as to consolidate the States by degrees into one sovereignty, the obvious tendency and inevitable result of which would be to transform the present republican system of the United States into an absolute or, at best, a mixed monarchy.

That the General Assembly doth particularly protest against the palpable and alarming infractions of the Constitution in the two late cases of the Alien and Sedition acts, passed at the last session of Congress; the first of which exercises a power nowhere delegated to the Federal Government, and which, by uniting legislative and judicial powers to those of the executive, subverts the general principles of free government, as well as the particular organization and positive provisions of the Fed-

eral Constitution; and the other of these acts exercises in like manner a power not delegated by the Constitution, but on the contrary expressly and positively forbidden by one of the amendments thereto, a power which more than any other ought to produce universal alarm, because it is leveled against the right of freely examining public characters and measures, and of free communication among the people thereon, which has ever been justly deemed the only effectual guardian of every other right.

That this State having by its Convention, which ratified the Federal Constitution, expressly declared that, among other essential rights, "the liberty of conscience and the press cannot be canceled, abridged, restrained, or modified by any authority of the United States," and from its extreme anxiety to guard these rights from every possible attack of sophistry and ambition, having with other States recommended an amendment for that purpose, which amendment was, in due time, annexed to the Constitution, it would mark a reproachful inconsistency and criminal degeneracy if an indifference were now shown to the most palpable violation of one of the rights thus declared and secured, and to the establishment of a precedent which may be fatal to the other.

That the good people of this commonwealth, having ever felt, and continuing to feel, the most sincere affection for their brethren of the other States, the truest anxiety for establishing and perpetuating the union of all, and the most scrupulous fidelity to that Constitution which is the pledge of mutual friendship and the instrument of mutual happiness; the General Assembly doth solemnly appeal to the like disposition in other States, in confidence that they will concur with this commonwealth in declaring, as it does hereby declare, that the acts aforesaid are unconstitutional, and that the necessary and proper measures will be taken *by each* for co-operating with this State in maintaining unimpaired the authorities, rights, and liberties reserved to the States respectively or to the people.

That the Governor be requested to transmit a copy of the foregoing resolutions to the executive authority of each of the other States, with a request that the same may be communicated to the Legislature thereof; and that a copy be furnished to each of the Senators and Representatives representing this State in the Congress of the United States.

The specific issue is joined in the Kentucky resolutions, in the forcible language of Mr. Jefferson:

*Resolved*, That the imprisonment of a person under the protection of the laws of this commonwealth, on his failure to obey the simple order of the President to depart out of the United States, as is undertaken by the said acts, entitled "An Act Concerning Aliens," is contrary to the Constitution, one amendment in which has provided that "no person shall be deprived of liberty without due process of law," and that another having provided "that in all criminal prosecutions the accused shall enjoy the right of a public trial by an impartial jury, to be informed as to the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have assistance of counsel for his defense;" the same act undertaking to authorize the President to remove a person out of the United States who is under the protection of the law, on his own suspicion, without jury, without public trial, without confrontation of the witnesses against him, without having witnesses in his favor, without defense, without counsel, is contrary to those provisions, also, of the Constitution; is therefore not law, but utterly void, and of no force.

That transferring the power of judging any person who is under the protection of the laws from the courts to the President of the United States, as is undertaken by the same act concerning aliens, is against the article of the Constitution which provides that "the judicial power of the United States shall be vested in the courts, the judges of which shall hold their office during good behavior;" and that the said act is void for that reason also. And it is further to be noted that this transfer of judiciary power is to that magistrate of the general government who already possesses all the executive and a qualified negative in all the legislative powers.

After a clear exposition of the doctrine of "strict construction of the Constitution," the paper proceeds:

And that, therefore, this commonwealth is determined, as it

doubts not its co-States are, to submit to undelegated, and consequently unlimited, powers in no man or body of men on earth; that if the acts before specified should stand, these conclusions would flow from them: that the general government may place any act they think proper on the list of crimes and punish it themselves, whether enumerated or not enumerated by the Constitution as cognizable by them; that they may transfer its cognizance to the President or any other person, who may himself be the accuser, counsel, judge, and jury; whose suspicions may be the evidence, his order the sentence, his officer the executioner, and his breast the sole record of the transaction; that a very numerous and valuable description of the inhabitants of these States being by this precedent reduced as outlaws to absolute dominion of one man, and the barriers of the Constitution thus swept from us all; no rampart now remains against the passions and the power of a majority of Congress, to protect from a like exportation or other grievous punishment the minority of the same body — the Legislatures, judges, Governors, and counselors of the States, nor their other peaceable inhabitants who may venture to reclaim the constitutional rights and liberties of the States and people; or who for other causes, good or bad, may be obnoxious to the view or marked by the suspicion of the President, or to be thought dangerous to his or their elections or other interests, public or personal; that the friendless alien has been selected as the safest subject of a first experiment; but the citizen will soon follow, or, rather, has already followed, for already has a Sedition act marked him as a prey. *That these and successive acts of the same character, unless arrested on the threshold, may tend to drive these States into revolution and blood*, and will furnish new calumnies against republican governments, and new pretexts for those who wish it to be believed that man cannot be governed but by a rod of iron.

These protests of Virginia and Kentucky were forwarded to the Governors of the several States, and an expression of opinion solicited from the Legislatures throughout the Union. It was the avowed purpose of the authors of the resolutions to arouse

the people of the country, and to cause a careful consideration of the whole subject, thereby promoting a speedy repeal of the obnoxious measures by the action of the Congress that had adopted them. But the answers of the States only confirmed the strongly marked line of division between the two parties. One Southern State (Delaware), then in the hands of the Federalists, called the protest of Virginia a "very unjustifiable interference with the general government and constituted authorities of the United States," and abruptly refused to consider the question at all. In like manner the Federal Legislature of New York expressed the anxiety and regret with which they observed "the inflammatory and pernicious sentiments and doctrines which are contained in the resolutions of the Legislatures of Virginia and Kentucky." On the ground of the necessity for a "reasonable confidence in the constituted authorities and chosen representatives of the people," the State Senate of New York pronounced the Alien and Sedition laws to be just and proper measures, well calculated to prevent any tendency toward "the weakening of confidence in or the destruction of usefulness of the public functionaries."

These two States (Delaware and New York) were followed by all the States of New England. Rhode Island declared that the Alien and Sedition laws were "within the powers delegated to Congress, and promotive of the welfare of the United States." The "Providence Plantations" further

declared the Virginia resolutions to be "very unwarrantable," and calculated to produce "many evil and fatal consequences." Connecticut declared that the Alien and Sedition acts were authorized by the Constitution, and that the exigency of the country rendered them necessary; and therefore the Legislature of Connecticut indorsed both of these statutes, because they merited "the entire approbation of this Assembly."

The Legislature of New Hampshire, disclaiming any right to sit in judgment upon the acts of the Federal Government, declared, nevertheless, that if "for mere speculative purposes" they were called upon to express an opinion, "that opinion would unreservedly be that those acts are constitutional, and in the present critical situation of our country highly expedient."

The General Assembly of Vermont declared that they "do highly disapprove of the resolutions of the General Assembly of Virginia, as being unconstitutional in their nature and dangerous in their tendency."

The Legislature of Massachusetts entered into a long and labored defense of the Alien and Sedition laws. "The genuine liberty of speech and of the press," says the remarkable paper which the wisdom of Massachusetts prepared in answer to Madison and Jefferson, "is the liberty to utter and publish the truth; but the constitutional right of the citizen to utter and publish the truth is not to be confounded with the licentiousness in speak-

ing and writing that is only employed in propagating falsehood and slander." This profound declaration was worthy of Dogberry in the height of his glory. Falsehood is seldom uttered and published by those who confess it to be a falsehood, and the very question at issue is always the truth of the charges preferred against those who fill the public offices at the time. That the power of prejudice will be exerted in its bitterest form in the political conflicts of the day is one of the evils incident to a free government. To suppress falsehood by bridling truth also is the ingenious device of those whose thirst for power overrides every other principle and passion of the human mind and heart.

# CHAPTER VI.

Mr. Madison's Defense—"General Welfare" Clause an Open Door for Every Species of Legislation—Steam-engine and Industrial Revolution—Internal Improvements—Manufactures—New England Ceases to Be Commercial and Becomes Manufacturing—African Slavery Becomes a Serious Menace—Constitution Protected the Institution—Confessed to Be an Evil—Abolition Movements Coincident with New England's Defeat—Temporizing Influences—Infant Industries—Free Soilism—Disunion Orators and Their Sayings—Higher Law than the Constitution—The South Exasperated—The Disunion of the Church a Blessing—The South Conservative—New England Radical—Increased Territory Subsequent to 1844—New Occasions for Strife—Pressure upon the Conservative Men of 1844—Dr. Elliott Favors Separation in 1844, Calls it "Secession" in 1848—Beecher, Quincy, Phillips, and Others—Disunionism in New England—Agitation Increasing—Fears of the Torch and Dagger—Friendship for the Slave, Enmity to the Free Negro—Kansas, Nebraska, Oregon—Negroes Banished from Illinois—Conclusions Drawn by the South—The Sixth Restrictive Rule—Failure of the Argument Based upon It—Triumph of Federalism.

IN the defense of the Virginia resolutions Mr. Madison presented a report to the Legislature of Virginia, in which he triumphantly vindicated the series of resolutions which had aroused the antagonism of New England. The broad and unqualified language of the Secretary of the Treasury in 1791 is quoted by Mr. Madison, in proof of the absolutely sovereign power claimed for the national Congress. A single sentence in the Constitu-

tion was interpreted by Alexander Hamilton, and the interpretation was adopted by the Federal party as a sufficient warrant for any measure that might be devised to advance "the general welfare" of the country:

> It belongs to the discretion of the national Legislature to pronounce upon the objects which concern the general welfare; and for which, under that description, an appropriation of money is requisite and proper; and there seems to be no room for a doubt that whatever concerns the general interests of learning, of agriculture, of manufactures, and of commerce, are within the sphere of national councils as far as regards an application of money.

The reader cannot fail to see that the doctrine advocated by Hamilton and the Federal party gave to the national Legislature the entire field of legislation. Powers especially named in the Constitution were beyond dispute, and all other powers were included under the phrase "to provide for the general welfare" of the country. Essentially British in their modes of political thought, this party labored to endow the Congress of the United States with the same sovereign power possessed by the Parliament of Great Britain. No written Constitution binds that Parliament. Whatever the two Houses (the Lords and Commons) decree, that becomes the law of the land; for the royal veto has long since ceased to be a factor in "practical politics." The essential body of the English Parliament is the House of Commons. The time has been when the elected representatives of the people swept away the House of Lords; and then,

"one and indivisible," the House of Commons existed in solitary splendor, without check or hinderance. The entire nation lay at the mercy of a majority of irresponsible men. The tendency of British thought and action is toward the same goal at the present time; and it can scarcely be questioned that the Senate of the United States would follow the British House of Lords in the event of the absolute triumph of the Hamiltonian theory of government.

We have been thus careful to define the doctrines that distinguished the two great parties at the beginning of our national career, because these are still *living* issues. The people decided in Mr. Jefferson's favor in 1800, and the force of popular approval continued the reins of the government in the hands of Jefferson, Madison, and Monroe for a quarter of a century. But the politicians of New England were actuated by a sincerity of conviction that could not be destroyed by defeat; for, too wise to continue the form of exploded tenets, they ingeniously transferred the spirit of the party of the elder Adams to the progressive ideas and new environment of the younger Adams.

The steam-engine had just appeared in the field of human labor, and the stupendous results of the utilization of steam power began to appear in a revival of industry and commerce such as the world had never before seen. The obstacles in the way of human progress appeared on every hand. The times called for capital, for millions of money,

that private citizens could not or would not employ in public improvements. Roads, turnpikes, and railways must be constructed, and water-ways must be prepared for the use of the new steam-boat navigation. All past experience pointed to the "Dead Sea fruit" of expectation, when the State Legislatures were to be held responsible for material progress. The treasury of the State was filled by taxes drawn *eo nomine*, by a very sensitive operation, from the pockets of the people. The treasury of the Federal Union was filled by taxes of another kind. Insensibly drawn from the same pockets of the people, these taxes could be extravagantly applied to such uses as a majority of Congress might determine.

Coincident with this demand for "internal improvements" came the cry of protection for the feeble manufactures of the country. The infant industries which New England had patriotically established must not be left to the merciless competition of the "pauper labor of Europe," hence the omnipotence of a majority of the National Legislature came into practical use in a truly practical way. Nine-tenths of the community were taxed in order to promote the prosperity of the remaining tenth; but as this measure obviously tended to promote "the general welfare," no possible objection could be raised to this enterprise from the stand-point of the Constitution. Both of these "new departures" came into vigorous life and energy during the administration of the younger Adams, in 1825.

"The Sage of Monticello" saw the cloud that was rising on the horizon. Five years before, he had been a mournful spectator at the birth of a compromise which pierced the heart of the Federal compact of 1787. But the honesty and integrity of his countrymen were articles of belief which Thomas Jefferson could not be induced to repudiate. Sectionalism, an unavoidable evil in any stage of our country's history, had been distinctly recognized and clearly indorsed by the act which admitted the State of Missouri into the Union. The precedent once established, the mere caprice of the day or the ambition of a statesman may extend, enlarge, or apply the convenient principle to any portion of the great machine of government.

New England was thoroughly aroused; and her great competitor, the South, was equally alive to the tremendous consequences that might follow a false step, an ingenuous admission, or a betrayal of a Constitutional right. But once more the preponderating influence of an enlightened public opinion averted the threatened dissolution of the Union. The country was convulsed from center to circumference, but the voice of the nation called one of its greatest and noblest heroes to the rescue of the republic. Progress in the arts, in science, in development of any kind was not, perhaps, so rapid, but it was the more trustworthy and became therefore permanent. Modification of the taxes imposed, and conservative views in regard to inter-

nal improvements, led to peace and quietness everywhere, except among a busy minority in New England.

It is necessary at this point to direct the reader's attention to the important fact that, previous to 1833, the existence of African slavery had never been regarded in the light of a serious menace to the Federal Union. Everywhere, North and South, the existence of slavery was deplored, but such were the conditions and environments of the people that no man could suggest a competent remedy for the evil. War with Great Britain during the administration of Washington, war with France during the term of the elder Adams, and again with Great Britain in the presidential terms of Jefferson and Madison, and the asserted encroachments of Federal power and patronage—these and several other causes were, at various times, serious indications of a popular movement that might destroy the union of the States. But the bare conception of an act of secession simply for the preservation of property in slaves did not enter the mind of any person entitled to the name of statesman.

That African slavery was distinctly recognized in the Constitution all parties acknowledged. The infraction of the organic law in one particular prepared the way for violence in every other. But the indicated point of assault upon the Federal Constitution at the beginning was not the institution of slavery. The existence of that anomalous species of labor furnished, however, arguments

and implements, and with these in absolute abundance the industrious workmen of New England addressed themselves to the task of destroying the Federal Constitution. It cannot be doubted that many of these men were sincere, for they gave the testimony which persecuted men and martyrs have given in all ages of the world. They were mobbed in Boston, and their presses and types scattered or destroyed. They cheerfully sustained the odium which their principles brought upon them. Believing themselves to be in the right, they were ready to defy even the God of the universe if it should appear that the Divine Being had sanctioned the institution of slavery. That the Constitution recognized it only made the matter worse for the Constitution. Let that instrument perish, that the slave may be free!

It is not simply a phenomenon, the fact that the rise of the abolition party in New England was coincident with the defeat of the New England theory of government. The same persons may not have been prominent in the two departments of thought, political and social. No man deplored the sectional agitation more than the greatest of New England statesmen, Daniel Webster. But it is scarcely possible for any man to deny that the re-election of John Quincy Adams in 1828 would have silenced the mutterings of the feeble band of anti-slavery agitators. With the government in the hands of New England men, the country would have been absolutely secure from the disturbing

forces of the abolition crusade. But the South had triumphed in the person of Andrew Jackson. The eloquent Senator from South Carolina, John C. Calhoun, empty as his threats may have been, had witnessed a relaxation of the cords that had bound his people as with fetters of iron. One vulnerable place there was in the corporate being of the South: *African slavery*. The "vulnerable heel" was not more sensitive, and persistent efforts could not fail to accomplish the purposes of destruction.

There are many great questions to which the Roman Catholic doctrine of "development" may be consistently applied. Cardinal Newman could not find the immaculate conception of the Virgin Mary in the New Testament, but he could show us a principle of "doctrinal evolution" by which the immaculate conception, the infalibillity of the pope, and any other desiderated tenet may be logically and necessarily deduced from the utter silence of Scripture upon the subject. So it would seem to be true that there is such a thing as the "evolution of conscience." When the minds of any considerable number of people are directed to the consideration of an avowed evil, it is easy to magnify that evil into an unbearable curse. Meditation, investigation into the dark corners of the fact, and into these alone, and a due excitement of emotional philanthropy, cannot fail to result in active enthusiasm. Essayists, lecturers, ministers of the gospel, and discounted politicians vied with one another in picturing the horrors and cruelties per-

petrated by the people of the South upon unoffending, harmless, and helpless slaves. Radicalism exhausted the vocabulary of vituperation and calumny.

Meantime the "infant manufactures" of New England had attained a sturdy manhood. Multiplied millions were invested in the products of slave labor, and returning millions of profit enlarged the field of operations; and hence the capitalists engaged in these profitable investments were conservative and opposed agitation. Their lukewarmness added fuel to flame. Churchmen of connectional organizations, such as the Methodist Episcopal Church, deplored the increasing agitation, because it violated all known principles of Christian charity. The characters portrayed by the abolition orators as life pictures of Southern society were more depraved and revolting than the darkest ages of Roman paganism could parallel. That these foul and vicious lives could be led within the pale of the Methodist Church was a libel upon that great Christian organization. Therefore the authorities of the Church used their utmost efforts to quiet the agitation in New England. But all of their labors were of no avail.

The territory of the country was expanding. The area of "slave soil" was about to be increased. "Free soil" parties entered the arena and demanded the interference of the national government. Here, at last, the old Federal theory of an omnipotent Congress enlisted the *con-*

*science* of a rapidly increasing section of the American people. Moral wrong must not be perpetrated, even if a "paper Constitution" sanctions it. Thus the Federal Constitution was placed in a crucible, and tried "as by fire;" until, by the ingenuities of sophistry, the skillful casuistry which is sometimes logical, even when it is not true, and the bold, defiant declaration that, the Constitution notwithstanding, "slavery must go!" it came to pass that the only bond which bound the States together was regarded as a rope of sand. It was as the burned tow that only holds together when there is no strain upon it. The fires of philanthropic enthusiasm had charred and burned the "paper compact," and at last it was pronounced a "covenant with death and a league with hell!"

The spirit which actuated these agitators could scarcely be equaled by that which prevailed in the period of the Civil War. N. P. Banks declared that he was willing, under certain circumstances, to "let the Union slide." If slavery was to continue, he said, "the Union cannot and ought not to stand." This man was Speaker of the national House of Representatives. Henry Ward Beecher declared that the Sharp rifle was a "truly moral agency," and that "you might as well read the Bible to buffaloes" as to the slave-holders who were trying to obtain a foot-hold in Kansas. Mr. Burlingame said he "would have judges who believed in a higher law, an anti-slavery Constitution, an anti-slavery Bible, and an anti-slavery God!"

These are only specimens of a moderate character, compared with others which we shall have occasion to mention.

Never in the history of our country have industrious agents aroused the evil passions of so many multitudes. In the very nature of the case retaliation was inevitable. Hatred of the men of the North was the return given by the exasperated people of the Southern States. Daily the breach was growing wider and broader, and the deadly determination of the parties to the struggle was growing by the hour.

It was prior to this stage of the crusade that the division of the Methodist Church occurred, in 1844. Never did a religious body divide its members and territory for greater or better cause, and never was the work of actual separation performed in a kindlier spirit. Sadly and sorrowfully old friends took each other by the hand, and exchanged farewells that were never to be uttered on earth again. No feeling of vindictiveness possessed the hearts of the Southern delegates. They had long witnessed the approach of the trying hour, and while they would have preferred beyond all earthly things the perpetuation of the ecclesiastical union, they saw that that was impossible. It was a division of the Church or the utter annihilation of Methodism in the South.

We have already expressed our belief that the division of the Church in 1844 was a blessing, and not a calamity. We believe that the separation

withdrew from the field of bitter polemics an immense amount of combustible material, which under other circumstances would have precipitated the armed conflict. Methodism has always possessed a representative portion of the wealth and intelligence of the South. In every department of Christian growth and of intellectual excellence our Church has been in the van, side by side with the foremost. If the people of the South, thirty years ago, were a community of barbarians, Methodism should bear much of the blame. If heartless cruelties and nameless horrors were tolerated under sanction of the Christian Church, Methodism must be charged with a very large share of the responsibility. The sin and shame are hers in as large a degree as they could have attached to any religious organization in the Southern States.

We do not contend that our people were a community of saints. They were neither better nor worse than similar numbers of American citizens in other sections of the Union. They were, without considerable exceptions, natives of the United States, and their civilization was purely American. The radical ideas that imported anarchists and heresiarchs of every degree transferred from Europe to America were unknown among the Southern people. But they were hot-blooded, and quick to resent an injury. Brave and generous, they were ready to recognize courage anywhere and everywhere else, but they became restive under the increasing diatribes and the bitter scorn to which

they were exhibited by the pulpit and the press of the North. The separation of the Southern Methodists, whilst yet their Northern brethren were calm and conservative and tenderly affectioned toward them, was a cause of meekness and patience under perpetual provocation and constant insult. Even the amazing change of front, by which the General Conference of 1848 was made to antagonize the General Conference of 1844, produced a comparatively slight impression upon the *spirit* of our people. Sympathy for the men of the North who were in a delicate and embarrassing position was still a characteristic feature in the religious life of Southern Methodists.

Between the two sessions of the General Conference—that of 1844 and that of 1848—the territory of the Union had been increased by acquisitions from Mexico, comprising a large part of the Western country—an area more than twice as large as the original States of the Union. This territory was open, under the Federal Constitution, to the Southern man, with his slave property. To extend the area of slave territory was a measure for which the masses of the Northern people were not only unprepared, but their opposition flamed into declarations equivalent to a proclamation of civil war. The first great battle-ground was the fugitive slave law. The original source of this enactment is found in the "Articles of Confederation of the United Colonies of New England," adopted in 1643. Massachusetts was the largest and the

leading colony in this confederation, and as early as 1646 the principle of the American fugitive slave law was adopted. The testimony upon this point may be found in Mr. Moore's "Notes on the History of Slavery in Massachusetts:"

> The commissioners of the United Colonies found occasion to complain to the Dutch Governor in New Netherlands, in 1646, of the fact that the Dutch agent at Hartford had harbored a fugitive Indian woman slave, of whom they say in their letter: "Such a servant is parte of her master's estate, and a more considerable parte than a beast." A provision for the rendition of fugitives, etc., was afterward made by treaty between the Dutch and the English. ("Plymouth Colony Records," ix., 6, 64, 190; Moore, 28.)

From this early treaty stipulation the principle of the fugutive slave law passed into the Federal Constitution in 1787, and without it no union of the American States could have been formed. But the great variety of passions incident to the acquisition of immense territories in the South brought an array of influence and power which it is difficult to estimate even in the light of forty years of history. But every event seemed to introduce a new foe and a new argument unfavorable to the South. The pressure was so great that Northern Methodists, the greatest and the best of them, were compelled to yield. Men who advised and advocated the separation of the Southern Conferences in 1844 were now vigorous and uncompromising in their denunciation of the "Plan of Separation." The evidences of the tremendous pressure brought to bear upon Northern Methodists is for-

cibly illustrated in the case of Dr. Charles Elliott. This distinguished minister was the first to move the adoption of the "Plan of Separation" reported by the committee of nine in 1844. The speech he made upon the occasion is worthy of quotation:

Dr. Elliot moved its adoption, and would explain his views upon the subject, without attempting to approach debate. He had the opportunity of examining it, and had done so narrowly. He believed it would insure the purposes designed, and would be for the best interests of the Church. It was his firm opinion that this was a proper course for them to pursue, in conformity with the Scriptures and the best analogies they could collect from the ancient Churches, as well as from the best organized modern Churches. All history did not furnish an example of so large a body of Christians remaining in such close and unbroken connection as the Methodist Episcopal Church. *It was now found necessary to separate this large body*, for it was becoming unwieldy. He referred to the Churches at Antioch, Alexandria, and Jerusalem, which, though they continued as one, were at least as distinct as the Methodist Episcopal Church would be if the suggested separation took place. The Church of England was one under the Bishops of Canterbury and York, connected and yet distinct. In his own mind it had been for years perfectly clear that to this conclusion they must eventually come. Were the questions that now unhappily agitated the body dead and buried, there would be good reasons for passing the resolutions contained in that report. As to their representation in that General Conference, one out of twenty was but a meager representation; and to go on as they had done, it would soon be one out of thirty. And the body was now too large to do business advantageously. *The measure contemplated was not schism, but separation for their mutual convenience and prosperity.* ("Debates in the General Conference," 1844, p. 219.)

What must have been the outside pressure brought to bear upon Dr. Elliott, sufficient to

cause him a few years after to write a large volume, entitled "The Great Secession," in which he labors to prove that the act of 1844 was a schism, and an act of secession wholly without justification! The annals of human frailties do not present a clearer case of external pressure producing a sacrifice of consistency and a stultification of human judgment!

The distribution of the territory acquired by the Mexican War brought into the field of controversy the fiercest passions that can arouse the energies of man. Kansas became a battle-ground after California was appropriated by the North. The solemn edict went forth from New England, and the Central and Western States rallied to the principle that hereafter not an acre should be added to the domain of the South. We have already quoted the declaration of Henry Ward Beecher and others, in which Sharp's rifle was declared a "moral agency." The *animus* of the North may be learned by brief extracts from the speeches of representative men. Edmund Quincy, of Massachusetts:

> He wished for the dissolution of the Union, because he wanted Massachusetts to be left free to right her own wrongs. If so, she would have no trouble in sending her ships to Charleston and laying it in ashes. There was no State in the Union that would not contract, at a low figure, to whip South Carolina. Massachusetts could do it with one hand tied behind her back. He did not like such a republic as this. It was against his conscience. He hated and abhorred it.

Wendell Phillips said:

> We confess that we intend to trample under foot the Consti-

tution of this country. Daniel Webster says, "You are a law-abiding people;" that the glory of New England is "that it is a law-abiding community." Shame on it if this be true; if even the religion of New England sinks as low as its statute-book. *But I say we are not a law-abiding community.* God be thanked for it!

Salmon P. Chase, afterward Secretary of the Treasury of the United States, declared that the people of this country owed it to the sovereign Ruler of the universe to disregard a portion of the Constitution of the United States, and to treat it as null and void.

William H. Seward, afterward Secretary of State, said:

> The Constitution regulates our stewardship; the Constitution devotes the domain to union, to justice, to defense, to welfare, and to liberty. But there is a higher law than the Constitution, which regulates our authority over the domain and devotes it to the same noble purposes.

Henry Wilson, afterward Vice-president of the United States, declared in Boston that he comprehended in his affections the whole country; "and when I say the whole country," he continued, "I want everybody to understand that I include in that term Massachusetts and the North." The same distinguished man declared that it was the intention of his party to "change the Supreme Court of the United States, and place men in that court who believe with its pure and immaculate chief-justice, John Jay, that our prayers will be impious to heaven while we sustain and support human slavery."

Senator Sumner, in a memorable scene in the

United States Senate in 1854, was asked by Senator Butler if he would obey the Constitution in regard to the rendition of fugitive slaves. Mr. Sumner answered: "Is thy servant a dog, that he should do this thing?" Mr. Butler replied: "Sir, standing here before this tribunal, where you swore to support it, you rise and tell me that you regard it the office of a dog to enforce it. You stand in my presence as a co-equal Senator, and tell me that it is a dog's office to execute the Constitution of the United States."

William L. Garrison said:

Jutice and liberty, God and man, demand the dissolution of this slave-holding Union, and the formation of a Northern Confederacy, in which slave-holders shall stand before the law as felons and be treated as pirates. "No union with slave-holders! Up with the flag of disunion, that we may have a free and glorious union of our own!"

Joshua R. Giddings said:

The gentleman, however, says that abolitionists look to the insurrection of the slaves. *Sir, who does not look to that inevitable result*, unless the slave States remove the heavy burdens which now rest upon the downtrodden and degraded people whom they oppress? Is there a slave-holder who can shut his eyes to the sure *finale* of slavery? And why should we not expect it?

I would not be understood as desiring a servile insurrection; but I may say to Southern gentlemen that there are hundreds of thousands of honest and patriotic men who will "laugh at your calamity, and mock when your fear cometh."

Hiram Brown, candidate for Lieutenant-governor of Massachusetts, declared that the overthrow of the South was to be accomplished in this way:

The object to be accomplished is this: That the free States shall take possession of the government by their united votes.

Minor interests and old party affiliations and prejudices must be forgotten. We have the power in number; our strength is in union.

One further quotation from William Lloyd Garrison will close this melancholy array:

This Union is a lie; the American Constitution is a sham, an imposture, a covenant with death, an agreement with hell; and it is our business to call for a dissolution. Let that Union be accursed wherein three millions and a half of slaves can be driven to unrequited toil by their masters. I will continue to experiment no longer. It is all madness. Let the slave-holding Union go, and slavery will go with the Union down into the dust. If the Church is against disunion and not on the side of the slave, then I pronounce it of the devil. I say let us cease striking hands with thieves and adulterers, and give to the winds the rallying cry: "No union with slave-holders, socially or religiously, and up with the flag of disunion!"

These extracts were from the speeches of men who filled the highest stations among their fellow-citizens in the North. They were representative men in every sense, as men of ability and as men of character and influence. Their numbers were increasing every year. One by one the barriers that kept back the dark waters of the flood were swept away, and at last the crowning event occurred which placed the party of Federal interference, and the party who asserted the omnipotence of Congress, in possession of every department of the general government.

No intelligent man in the South could be ignorant of the tendency of events. Time and again we had been told that the agitators of New England were a feeble band, unable to do us harm, and

that our fears were exaggerated; but the language of events was far otherwise. Can it be a cause of wonder that the South placed the most sinister construction upon the triumph of the Federal party and its principles in 1860? Can it be called a strange thing that the Southern people felt themselves doomed to destruction unless they arrayed themselves in the field of battle, and contested the argument of force as only such arguments can be contested—by the sword?

Let us admit that they were mistaken in the main question. Let us admit that a servile insurrection was not intended by the party that held possession of the government, and that millions of conservative and good people of the North would have deplored the horrors of a St. Domingo in the South. No one questioned that fact. But these good people deplored the agitation which sprung up in New England. They mourned over the bitterness of men such as Garrison and Giddings, but these men had conquered. The Southern people found themselves limited to the territory they possessed. "Slavery," it was said, "was now situated like the scorpion: with a ring of fire encircling it, there remains nothing for it to do but sting itself to death!"

Let us acknowledge that the fears of 1861 were exaggerated—that there was really no danger of the knife and the torch under the directing hand of a well-organized and thoroughly equipped band of Torquemadas. Granting the fact of the exag-

geration and the unreasonable anxieties of the time, we cannot fail to remember that even the city of Boston spent several sleepless nights because of a rumored insurrection of negroes when the black population of that city numbered fewer persons than many a Southern gentleman could claim as his own property.

That the Southern people misunderstood and misconstrued the purposes of the people of the North, may appear very plain and manifest to the reader who sits under the clear light of this peaceful period, and reads with undisturbed and unruffled spirit the reminiscences of the terrible war of 1861; but there are problems of history which no man has attempted to solve, and one of these problems was the inexplicable conduct of the anti-slavery party previous to 1861. Professing the utmost friendship and kindness for the slave, they were implacable foes of the free negro. So long as the black man was the property of a master, they would move the very pillars of the republic in order to succor him and maintain his freedom; but the moment he became a *free* man they instantly deserted him and became his uncompromising enemies. This anomalous conduct could bear but one construction to the Southern mind. That construction was that enmity to the Southern slaveholder, and not sympathy for the negro, was the ruling principle of the crusade that was hastening the country toward the vortex of civil war.

As the history of the Kansas-Nebraska struggle

has never been written, and probably will not be for many years to come, we cannot expect our younger readers to understand the full force of this singular inconsistency and its effect upon the Southern mind; but it is due to truth that the fact of this strange contradiction should be clearly stated. We have already seen that the State of Massachusetts banished free negroes from her territory, and did not repeal this act of banishment until the abolition crusade of fifty years ago was well advanced. A sense of consistency seemed to induce this act of repeal, but what shall we say for those who followed in the footsteps of Massachusetts, and placed in the Constitution of their States a solemn ordinance forbidding free negroes to reside upon their soil? In the inaugural address of Gov. Walker, of Kansas, on the 27th of May, 1857, we find the following paragraph:

> Those who oppose slavery in Kansas do not base their opposition upon any philanthropic principles or any sympathy for the African race; for in their so-called Constitution, framed at Topeka, *they deem the entire race so inferior and degraded as to exclude them all forever from Kansas, whether they be bond or free*, thus depriving them of all rights here and denying them even that they can be citizens of the United States, for if they are citizens they could not be constitutionally exiled or excluded from Kansas. Yet such a clause inserted in the Topeka Constitution was submitted by that convention for the vote of the people and ratified here by an overwhelming majority of the anti-slavery party. The party here, therefore, has in the most positive manner affirmed the constitutionality of that portion of the recent decision of the Supreme Court of the United States declaring that Africans are not citizens of the United States.

But Kansas was not the only new State that

adopted an act for the banishment of free negroes. The State of Oregon, far distant in the great North-west, without passing through a civil convulsion of any kind, adopted the following remarkable section and made it a part of "the bill of rights" of the State of Oregon:

SEC. —. No free negro or mulatto not residing in the State at the time of the adoption of this Constitution shall ever come, reside, or be within this State, or hold any real estate, or make any contract, or maintain any suit therein; and the legislative assembly shall provide by law for the removal by public officers of all such free negroes and mulattoes, and for their effectual exclusion from the State, and for the punishment of persons who shall bring them into the State or employ or harbor them therein.

This section was submitted to the vote of the people, and the result of the election held in November, 1857, was announced by the Governor of the Territory. Upon the proposition to banish free negroes from Oregon the vote was 8,640 in favor and 1,081 votes against, whilst the vote for the adoption of the Constitution was 7,195. In other words, the proposition to adopt the edict of banishment received 1,445 votes in excess of the number voting for the Constitution itself.

But this proscriptive legislation had been introduced four years before this period by the State of Illinois. In 1853 the Legislature of Illinois enacted the following law:

If any negro or mulatto, *bond or free*, shall hereafter come into this State and remain ten days, with the intention of residing in the same, every such negro or mulatto shall be deemed guilty of a high misdemeanor, and for the first offense shall be

fined the sum of fifty dollars, to be recovered before any justice of the peace in the county where said negro or mulatto may be found. . . . If the said negro or mulatto shall be found guilty, and the fine assessed be not paid forthwith, it shall be the duty of said justice to commit such negro or mulatto to the custody of the sheriff of said county, or otherwise keep him, her, or them in custody. . . . The said justice shall, at public auction, proceed to sell said negro or mulatto to any person who will pay said fine and costs for the shortest time; and the said purchaser shall have a right to compel said negro or mulatto to work for and serve out said time, etc.

Four years after the adoption of this remarkable statute, and while the Kansas struggle was still in progress, the following advertisement appeared in an Illinois paper:

STATE OF ILLINOIS, } SS
ST. CLAIR COUNTY. }

LEGAL NOTICE. Whereas Jackson Redman, a mulatto, was, on the 7th day of April, A.D. 1857, complained against, arrested, and brought before me, the undersigned, a justice of the peace for said county, and was tried by a jury of twelve men, who found him guilty of high misdemeanor, and, as a first offense, fined him in the sum of $50—agreeably to the provisions of the act of February 12, 1853, to prevent the immigration of negroes or mulattoes; and judgment having been rendered against the said Jackson Redman for the amount of said fine and costs of suit, which has not been paid, whereupon he was placed in the custody of the sheriff of said county for safe-keeping until he is further dealt with as is required by law: This, therefore, is to give notice that at 1 o'clock, P.M., on the 18th day of April, 1857, at my office in Belleville, in said county, I will proceed to sell at public auction the services of said Jackson Redman to any person or persons who will pay said fine and costs for the shortest time, according to the provisions of the act aforesaid.

Posted this 8th day of April, A.D. 1857. CASPER THIELL,
*Justice of the Peace.*

In the presence of facts like these—and we have

given only a few specimens of the record from which volumes might be extracted—can it be a matter of surprise that the people of the South did not and could not understand the real purpose of the aggressive party which had taken possession of the government and ruled the people of the North? What *was* their object? Allowed to exist neither as a slave in the South nor as a free man in the North, the poor negro seemed marked out for destruction. He was not wanted in the North, where the most eloquent tributes were constantly paid to personal liberty. By the same persons his freedom was denied him in Illinois and his slavery denounced in Kentucky.

Is it wonderful that, unable to reconcile such glaring contradictions, the people of the South drew from them the most sinister and alarming inferences? Slavery was to be destroyed by the strong hand of the government. Then the freedmen were to be prohibited from emigrating to other States. The labor which the "free States" did not want and would not have upon any terms was to be fixed irrevocably upon the South. In the event of resistance—and it was known that resistance was inevitable—the money of the anti-slavery agitators was to be used in promoting an uprising in every part of the doomed States. The torch and the knife were to be consecrated to the purposes of the party of liberation, and the terrors of St. Domingo were to be "rehearsed" on the soil of the United States.

These were the inferences that were drawn from the course of events and the teachings of the parties hostile to the slave-holding States. Now that the thunder-storms of war have cleared the atmosphere and the shedding of fraternal blood has cemented the respect and esteem of brave men for each other, we see that the great heart of the North was loyal to truth and principle and that the fears of the Southern people were exaggerated. But no man can conceive, even at this day, the means or the instrument by which the great national convulsion could have been averted.

The only defensive plea that bears the semblance of argument in justification of the revolutionary conduct of the General Conference of 1848 is founded upon that clause of the "Plan of Separation" which relates to the division of the property in the Book Concern. The publishing fund had been derived from profits on the sales of books, and from contributions taken in the bounds of the several Conferences. No one was disposed to dispute the fact that the Southern people had contributed an amount equal to their proportionate membership in the Church. So far as the equity of the case was concerned, there could be but one course open to the authorities; the South should receive her share of the common property. So the General Conference of 1844 voted; but there was a technical, if not a legal, difficulty in the way.

The sixth restrictive rule, limiting the pow-

ers of a General Conference, says: "The General Conference shall not appropriate the produce of the Book Concern, nor of the Chartered Fund, to any purpose other than for the benefit of the traveling, supernumerary, superannuated, and worn-out preachers, their wives, widows, and children." In order to obviate the technical difficulty in the way of a division of this property, the "Plan of Separation" proposed to add to the Article, as it stood, the words: "And to such other purposes as may be determined upon by the votes of two-thirds of the members of the General Conference." By adopting this amendment, and sending it to the Annual Conferences for ratification, it was believed that every obstacle to a brotherly settlement of all outstanding controversies would be secured. The vote on the adoption of this amendment was: Yeas, 147; nays, 12. The fourth resolution was adopted without a call for the yeas and nays, this resolution simply providing for a delivery of the property assigned to the Southern Church to the only authorized agents thereof. The fifth resolution stated the rule by which the division should be made. The number of traveling preachers in the Southern Conferences being ascertained, their proportion to the whole number of traveling preachers was to be the ratio by which the common property should be divided. Against this resolution there were only 13 nays to 153 yeas. The sixth resolution related to some details in connection with the manner of deliver-

ing the property, and the yeas and nays were not demanded.

Here we have, then, the only possible plea of *contingent* and *conditional* action by the General Conference of 1844. It is agreed upon all hands, by statesmen and jurists everywhere, that no Constitution makes provision for its own destruction. But is a division of a great body into two jurisdictions a *destruction* of the body itself! Then the division of a large Conference into two or more organizations is a dissolution of the original body. The truth is that the separation of 1844 was intended by those who represented the Southern Conferences to be an escape from discord, disunion, and schism, which existed then, and would grow day by day until no man could predict the result. To Southern minds the question of dividing the property of the Book Concern was not environed by any difficulty whatever. But, believing that the sentiment of the Church would sustain the brotherly spirit of the Northern delegates in 1844, the Southern men agreed to refer the question to the Annual Conferences, in so far as the *method* of dividing the common property was concerned.

As to the issue of division into two independent Churches, there was nothing referred to the Annual Conferences, for there was no need of such reference. Nothing in the Constitution of the Church existed then, as nothing exists now, that could prevent the adoption of the wisest method of providing for the Church government of the

millions of souls which Providence had brought under the spiritual tuition of the Methodists of the United States. That there was no real *legal* hinderance in the restrictive rule, preventing a division of the Book Concern property, is manifest from the event. Notwithstanding the revolutionary act of the General Conference of 1848, and a positive refusal to incorporate the suggested amendment of 1844, the property *was* divided according to the proposed terms of the "Plan of Separation." At the end of a lawsuit in the highest tribunals of the country, the judges of the civil courts examined the supposed prohibitory rule of the Discipline; and the result of their examination was an opinion which declared the binding character of the compact of 1844, and the constitutional power of the General Conference to adopt the "Plan of Separation" was confirmed by the highest legal authorities in America.

If we were seeking for proofs of a "rehearsal" of the events that occurred between 1861 and 1865, we should turn with greater promise of success to the General Conference of 1848. The disregard for constitutional compacts which produced the war between the States was sadly foreshadowed in the act which repudiated the solemn compact of 1844. But we forbear. The historian will draw the full portrait which to-day can be taken only in outline.

The first gun that was fired in 1861 announced the beginning of a *revolution*, and the surrender at

Appomattox declared its triumph. The theory of the Federal Government as advocated by Hamilton and Adams has conquered, and we have passed the period of the change without an effective protest from any quarter. The Federal Government is not only supreme, but it is omnipotent. If any great issue should touch the heart and enlist the sympathies of the people, mere constitutional barriers are but impediments of straw. Either by construction, by indirection, or by force the declared will of the people, expressed at the ballot-box, has become supreme, and limitations of merely *written* contracts will be swept away as cobwebs in the face of a storm.

Perhaps it is better as it is. In the great march of time and events, under the guidance of a gracious Providence, the errors of men, whether as individuals or in the capacity of nations, may find compensations and corrections where they are not suspected to exist. And as the years multiply, separating us from the terrors of the struggle of 1861, the impartial hand of the Muse of History will sharpen the pen and fill the pages of the great volume of our story with the records which prejudice and passion may falsify, but cannot destroy.

# CHAPTER VII.

The Case of Canada—No Precedents Needed, but a Clear Case of "Dissolving the Union"—Memorials and Petitions from Canada—Constitutional Difficulties in the Way—No Vote on the Constitutional Question—Resolutions Giving Canada an Independent Church—Another Committee—Breakers Ahead—Division of Property in the Way—Dr. Fisk's Report Adopted—Property Question Ignored—Again before the Conference of 1832—A Plan of Settlement—Failure of the Plan—Remarkable Mode of Settlement—Doing in One Way What Was Refused in Another—Furnishing Capital without Cost—Same Principle Involved as Before—Curious Method of Buying Sunday-school Books—Power to Donate Property—Dr. Bangs makes a Distinction without a Difference—All Church Organizations Voluntary—No Indissoluble Church Union—Church and State Idea—Other Churches—Abolitionism Condemned in 1836—Conference Careful to Put Itself Right—Action in 1840—Changes in 1844—Testimony of Distinguished Lawyers—Emancipation Impossible—Facts of Bishop Andrew's Case—Minister and Bishop Suspended for Not Doing Illegal Acts.

ALTHOUGH we do not ask for precedent, in order that we may justify the adoption of the "Plan of Separation" by the General Conference of 1844, such a precedent did in fact exist. Notwithstanding the multitude of denials and disclaimers, the setting apart of the Canada Conference in 1828 was an act essentially similar to that of 1844. The history may be briefly told. Early in the century the itinerant preachers of the New York Conferences had penetrated into Upper Canada.

In 1801 there were nearly one thousand members reported from Canada, and in 1827 nearly nine thousand communicants belonged to the recently constituted Canada Conference.

Nothing could be more natural than the desire for a separate Church establishment in Canada. Political differences, if there were no other, would ultimately have compelled a separation. But the Canada brethren were highly appreciated on this side of the line, and the Methodist Episcopal Church would not surrender her jurisdiction without a struggle. Petitions and memorials poured in with increasing earnestness and power. At last, in the General Conference of 1828 a committee on "Canada affairs" was appointed with Dr. Nathan Bangs as the Chairman. This committee reported adversely to the prayer of the Canadians, asserting that the General Conference had no constitutional power to sanction an independent Church organization in the territory of the Canada Conference.

The report of this committee was permitted to lie upon the table for several days, and when the matter came up for discussion, William Ryerson, of Canada, offered a preamble and resolution in the form of a substitute for the report of the committee. The first resolution in this substitute took opposite ground to that of the report, and recognized the constitutional power of the General Conference to dissolve the union between the Canada Conference and the Methodist Episcopal Church.

After reciting the imperative reasons for the step, the substitute declares the method of separation:

1. *Resolved*, Therefore, by the delegates of the Annual Conferences in General Conference assembled, that the compact existing between the Canada Annual Conference and the Methodist Episcopal Church in the United States be, and hereby is, dissolved by mutual consent.

This resolution was passed by a vote of 104 yeas and 43 nays. But the remaining four resolutions, relating to other details of the separation, were referred to a special committee of five, of which committee Wilbur Fisk became the Chairman. After long and patient consideration this committee made their report. After declaring that "the jurisdiction of the Methodist Episcopal Church in the United States has heretofore been extended over the ministers and members in connection with said Church in the Province of Upper Canada, by *mutual consent*," therefore, in obedience to the earnestly expressed desire of the Canada Conference, in the event of their election of a General Superintendent, the bishops of the Methodist Episcopal Church were permitted to ordain the said Superintendent, thus completing the establishment of an independent Methodist Episcopal Church in Canada. This report closed with a proposition to continue the relation of Canada to the Book Concern.

Dr. Fisk's report was adopted by a very large majority, 108 voting for, and only 22 against it. But this measure was not satisfactory to the Canada brethren. They claimed their relative share of

the property in the Book Concern, which they doubtless intended to employ as part of the capital of a publishing house of their own. We find the "Canada claims" at the front again in the General Conference in 1832. After a tedious and unprofitable discussion the committee having the matter in charge at last prepared a paper which received the sanction of the Conference. In this paper it was declared that "constitutional difficulties" were in the way of the division of the funds, and therefore, to meet the necessities of the case, a proposition was framed, referring the question of a division of the funds to the Annual Conferences. The first resolution was in these words:

*Resolved*, That if three-fourths of all the members of the several Annual Conferences who shall be present and vote on the subject shall concur herein, and as soon as the fact of such concurrence shall be certified by the Secretaries of the several Annual Conferences, then the Book Agents and Book Committee in New York shall be, and they are hereby authorized and directed to settle with the Agents of the Canada Conference on the following principles and preliminaries, etc.

Then the specific terms of the settlement are given. Canada is to receive the amount due her in the proportion that the number of the traveling, supernumerary, and superannuated preachers in the Canada Conference bear to the whole number in the Church. There was no proposition to change or modify the sixth restrictive rule, and the very act of submitting a *method* of division declared the power of the Conference to make a division of the property. We can hardly conceive of a

more complete surrender of the question of constitutional authority. The Annual Conferences were not asked whether they were willing to divide the property at all, but whether they would consent to divide it in a particular manner. The result of the reference to the Annual Conferences was the defeat of the proposition. Instead of receiving a three-fourths majority, the measure was rejected by a vote of 599 for, and 758 against, a direct majority of 159 against the proposition.

The outcome was one of the most remarkable transactions in the history of the Church. In 1836, finding that the Annual Conferences had refused to divide the property, the General Conference devised a scheme, whereby the object desired could be obtained in spite of the adverse decision. The committee of 1836 declared that they regarded that decision as "final and conclusive" against the Canada claims. Nevertheless, this committee prepared a paper which became "an amicable and final arrangement of all the difficulties which have existed on the subject."

The details of this arrangement are too long for our pages, but they may be expressed as follows:

1. The General Conference has always claimed and exercised the right to regulate the discount at which books may be sold to wholesale purchasers.

2. The Annual Conferences have refused to divide the capital of the Book Concern, but inasmuch as Canada has been a good patron, and in order to perpetuate the friendly relations between the two bodies, a plan of settlement is proposed.

3. The union of Canada with the Methodist Episcopal Church

having been dissolved by mutual consent, it is agreed that the books of the general catalogue shall be sold to the Canada brethren at a discount of 40 per cent. so long as other wholesale buyers are entitled to receive 33⅓ per cent. discount. When the rate is decreased to 25 per cent., then Canada is to be allowed 33⅓ per cent. In other words, Canada is a preferred purchaser to the extent of 7 per cent. discount upon all books of this catalogue, except "such books as may be reduced below the usual prices on account of rival publishers."

4. Sunday-school books and tracts shall be furnished to the book steward of the Canada Conference at a premium of eighteen per cent. *to be paid in general catalogue books at retail prices.*

5. This arrangement is to be "binding on the Methodist Book Concern until the first day of May, 1852."

Several provisions and guards for the right performance of this singular contract are attached as conditions to its fulfillment, but none of them possesses any interest to the reader. The great question arises: What right had the General Conference to grant the claims of Canada, when the voice of the Church had been distinctly and loudly declared in opposition to such settlement? From the point of view taken by the Conference in 1832, and also in 1836, how is it possible to maintain consistency of principle, when the Conference determined to do by indirection that which the Church declared should not be done by direct means?

It is beyond question that the principle involved in this settlement is identical with that which is involved in a division of the property of the Book Concern. The gift of a bonus of 7 per cent. to Canada violates the sixth restrictive rule as absolutely as the division of the property into shares is construed to be a diversion of the proceeds to other

purposes than those nominated in that rule. To the extent that Canada is benefited, the preachers in the United States are injured. It is an unanswerable argument, that the gift to a favored class is an injury to all other claimants.

But what shall we say of the singular article that relates to Sunday-school books? We are not sure that we understand it, and for the sake of the good men who made the contract we are willing to be convinced of error, but there is but one interpretation that we can see, and the strange provision is explicable to our view only in one way. The Canada brethren are to buy "general catalogue" books at 40 per cent. discount, and to resell them to the Concern at retail—that is, at par prices. With this 40 per cent. gained from the Book Concern as capital, Canada buys Sunday-school books at 18 per cent. premium. In other words, the Book Concern furnishes the capital to be invested by the Canada Conference in Sunday-school books, giving as a bonus 22 per cent. on every dollar that is thus purchased.

Let us suppose that the Canada brethren wished to supply themselves with $10,000 worth of Sunday-school books. They were required to purchase $30,000 worth of General catalogue books at 40 per cent. discount, and then by the sale of these back to the House, at retail prices, they would make a profit of $12,000, and this sum at 18 per cent. premium would furnish $10,169 worth of Sunday-school books. *The Book Concern*

*would not receive one dollar of actual cash in this transaction.* Is it possible then to deny that there was an actual *donation* of the sum stated? *And it was this power to donate the property of the Book Concern that formed the "constitutional" question in the minds of members of the General Conference in 1844 as well as in 1832.*

Let it be observed, however, that the question of the power to divide the Church was never referred to the Annual Conferences. It was only the property feature of the act of separation that was referred to them, and therein the action taken was precisely the same as that of 1844. Once the Conference voted 104 yeas to 43 nays, that the compact existing between between the Canada Annual Conference and the Methodist Episcopal Church in the United States be, and hereby is dissolved by mutual consent. This resolution was afterward rescinded, the adoption of another in its place having rendered it useless. The second proposition was an *enabling act*, authorizing Canada to form an independent Church, whenever that Conference saw fit to do so, and in that case authorizing the bishops of the Methodist Episcopal Church to complete the organization by the ordination of a General Superintendent.

Dr. Nathan Bangs, in his history of the Methodist Episcopal Church, is very careful to explain the principle that governed the General Conference of 1828. He does not tell us that his own report declaring a plan of separation unconstitutional was

laid aside for another which occupied different ground, but he is very confident that there was a difference between the "dissolution of the union" with Canada and a dissolution of the union with any other Conference in the Church. Dr. Bangs says:

> But still a desire to grant, in some way, that which the Canada brethren so earnestly requested, and for which they pleaded with much zeal, and when with most pathetic appeals to our sympathy, it was suggested by a very intelligent member of the General Conference, the late Bishop Emory, that the preachers who went to Canada from the United States went in the first instance as missionaries, and that ever afterward whenever additional help was needed, Bishop Asbury and his successors asked for *volunteers*, not claiming the *right* to *send* them in the same authoritative manner in which they were sent to the different parts of the United States and Territories; hence it followed that the compact between us and our brethren in Canada was altogether of a *voluntary* character—*we* had offered them our services, and *they* had accepted them—and therefore, as the time had arrived when they were no longer willing to receive or accept of our labors and superintendence, they had a perfect right to request us to withdraw our services, and we the same right to withhold them. (Bangs's "History of the M. E. Church," Vol. III., p. 391.)

There was not a Conference in the Southern States to which the same description would not apply. All of our Church territory was the result of *missionary* effort, and all of it was served by men who *volunteered* to go as missionaries, and by *voluntary* agreement the bonds of Christian brotherhood were first formed, and always maintained. What *right* had any Methodist bishop to send any man against his will, and against the will of the people, into the territory of Mississippi for exam-

ple? The question raised by Dr. Bangs is evidently prepared in view of the possible division of the Church at no distant day. As he wrote in 1841, the rumbling of eastern thunder could be faintly heard, and the violence of New England abolitionists threatened at that moment to separate the Northern from the Southern Conferences. But Dr. Bangs was really delighted with the newly formed method of letting Canada depart in peace, whilst the South might be held firmly bound in "constitutional" bonds. He draws the following conclusion from Dr. Emory's clever suggestion:

> This presented the subject in a new and very clear light, and it seemed perfectly compatible with *our* power as a delegated Conference, and *their* principles as a part of the same body, thus connected by *voluntary* and *conditional* compact, either expressed or implied, to dissolve the connection subsisting between us, without any dereliction of duty or forfeiture of privilege on either part. *It was on this principle alone that the above agreement was based.* . . . These remarks are made to prevent any misconception respecting the principle on which the above connection was dissolved, and to show that it forms no precedent for a dissolution of the connection now subsisting between the Annual and General Conferences in the United States. ("History," Vol. III., p. 393.)

Dr. Bangs tells us, moreover, that there is but one method by which an Annual Conference can be removed from the jurisdiction of the General Conference. That method is the withdrawal of fellowship on account of corruption in doctrine, moral discipline, or religious practice. To all of this absurd reasoning it is only necessary to oppose a few plain, immutable truths.

What is the Church? It is a voluntary association of religious people, whose object is the salvation of their own souls, and that of all other persons whom they may be able to assist. Does not every intelligent man know that even in the defense of the moral character of the Church her authorities have no power to *compel* witnesses to give testimony in matters of fact? There is no analogy between Church courts and civil courts, for the very reason that the former administer under laws that are binding upon Church-members only because they yield voluntary allegiance to them. At any moment a member of the Methodist Church may cease to be a Methodist, and thus every attempt to enforce the laws of the Church, so far as he is concerned, will be of no avail. This is a vital principle in Protestant theology. Every man has the same right to choose his Church relations that he has to read the Bible and form his judgment of the divine law.

This principle of *voluntary* membership being recognized, what more can be said of the membership of the Annual Conferences in the General Conference delegation? Whenever the delegates of one or more Annual Conferences are persuaded that the welfare of the Church requires their retirement from the General Conference, who can stay them? And if they have the right to retire, as Dr. Bangs confesses that they have, who shall deny to the General Conference the right to "dissolve the union" by mutual consent? "If an Annual Con-

ference declare itself independent, out of the pale of the Methodist Episcopal Church, it is its own act exclusively, and therefore the responsibility rests upon itself alone, for which the General Conference cannot be held accountable, because it was not a participant in the separation." (Page 392.) This is true, but when thirteen Annual Conferences declare it impossible to continue the ecclesiastical union any longer, and the General Conference admits the fact, and provides a "Plan of Separation" formed upon equitable principles, then the whole matter stands upon precisely the same footing that the Canada Conference occupied in 1828. Thus Dr. Bangs thought in 1844, for we find his name among those who voted for the "Plan of Separation" upon every call of the yeas and nays.

It is doubtless true that no organized body contains in its Constitution a provision for its own destruction. It is equally true that neither Church nor State is worthy of perpetuation when the objects for which the union was formed have ceased to exist. All voluntary associations, and Churches in particular, are entitled to existence only so long as they serve the purposes of their creation. When the candlestick of the Church ceases to give light, it is the order of Divine Providence that the useless instrument should be laid aside, that another may take its place.

The conception of an *indissoluble* union among Christian Churches, forming Conferences, Asso-

ciations, or Synods, is part of the heritage which the union of Church and State has left to mankind. The Church is commensurate with the State, and for the tyranny of majorities there is no remedy. We see this doctrine clearly avowed in the language of Dr. Bangs. He speaks of two kinds of administration, one applying to Canada, as a voluntary union existed between that Conference and the Methodist Episcopal Church, whereas the bond that held the other Conferences together was a *compulsory* union. Only by revolution in the State and secession in the Church can the most deplorable and intolerable evils be remedied, according to this theory of irrevocable consolidation. Every great Church in the United States has been called, from time to time, to bear evidence against this monarchial conception. Organic changes have been witnessed, from time to time, among Congregationalists, Presbyterians, Baptists, Episcopalians, and Lutherans, as well as among ourselves. No charge of schism may be laid at the door of these Churches.

Believing that a Southern Association is essential to the welfare of their Churches in the South, our brethren of the Baptist Church maintain a Southern Baptist Convention which meets annually. The Presbyterians of the South preserve their own General Assembly, and the interests of the kingdom of Christ require at the hands of his servants a scrupulous regard for those conditions and environments that will best promote the cause of our

Redeemer. In this spirit and for this purpose alone, the delegates from thirteen Annual Conferences offered their protests against the tyranny of a majority in the General Conference of 1844. Believing that the very existence of Methodism in the South was at stake, they made a plain, clear, and concise declaration, and published their views to all the world. The time had arrived when New England and the South could no longer be included in the same legislative jurisdiction of the Church. Repeated promises of peace and quiet had been broken. By the most solemn act by which the General Conference could be bound, that body had declared its opposition to abolitionism. What, for example, could be more satisfactory than the action taken in 1836? In order that our readers may see the whole case, we copy from the Journal of the General Conference held in Cincinnati in 1836 as follows:

Whereas, great excitement has prevailed in this country, on the subject of modern abolitionism, which is reported to have been increased in this city recently by the unjustifiable conduct of two members of the General Conference, in lecturing upon and in favor of that agitating topic; and whereas such a course on the part of any of its members is calculated to bring upon this body the suspicions and distrust of the community, and misrepresent its sentiments in regard to the point at issue; and whereas, in this aspect of the case, a due regard for its own character, as well as a just concern for the interests of the Church confided to its care, demand a full, decided, and unequivocal expression of the views of the General Conference in the premises; therefore,

*Resolved*, By the delegates of the Annual Conferences in General Conference assembled: 1. That they disapprove in the

most unqualified sense the conduct of two members of the General Conference, who are reported to have lectured in this city recently upon and in favor of modern abolitionism.

2. *Resolved*, That they are decidedly opposed to modern abolitionism, and wholly disclaim any right, wish, or intention to interfere in the civil and political relation between master and slave as it exists in the slave-holding States of this Union.

3. *Resolved*, That the foregoing preamble and resolutions be published in our periodicals.

The vote on the first resolution was 122 yeas, and 11 nays. On the first member of the second resolution the vote was 120 yeas, 14 nays. The second part of the resolution was adopted by 137 yeas; nays, none. What more could Southern men ask than this? They could only ask the General Conference to be true to its own position.

Four years later, in 1840, a petition was presented from certain citizens of Virginia, local preachers who had been denied ordination by the Baltimore Conference solely because they were owners of slaves. Dr. Bascom presented, and the General Conference adopted, a report upon this subject. The resolution concluding the report was adopted by the Conference, and there would seem to be nothing more conclusive than the fact that the General Conference adhered to its position in 1836. The resolution says:

*Resolved*, By the delegates of the several Annual Conferences assembled, that under the provisional exception of the general rule of the Church on the subject of slavery, the simple holding of slaves, or mere ownership of slave property, in States or Territories where the laws do not admit of emancipation, and permit the liberated slave to enjoy freedom, constitutes no legal barrier to the election or ordination of ministers

to the various grades of office known in the ministry of the Methodist Episcopal Church; and cannot, therefore, be considered as operating any forfeiture of right in view of such election and ordination.

This was done in 1840. Four years afterward Rev. F. A. Harding was suspended from his ministerial standing by the Baltimore Conference for refusing to manumit certain slaves which came into his possession by marriage. The legal question was propounded to two of the best lawyers in Maryland, and they gave the following answers. Judge Key says:

The Rev. Mr. Harding having married Miss Swan, who, at the time of her marriage, was entitled to some slaves, I am requested to say whether he can legally manumit them or not? By an act of Assembly no person can manumit a slave in Maryland; and by another act of our Assembly, a husband has no other or further right to his wife's slaves than their labor while he lives. *He can neither sell nor liberate them. Neither can he and his wife, either jointly or separately*, manumit his slaves, by deed, or otherwise. A reference to the Acts of Assembly of Maryland will show this. EDMUND KEY.

Prince George County, April 25, 1844.

A lawyer of equal ability, the Hon. William D. Merrick, testified as follows:

At the request of Mr. Harding, I have to state that, under the laws of Maryland, no slave can be emancipated to remain in that State, nor unless provision be made by the person emancipating him for his removal from the State, which removal must take place unless, for good and sufficient reasons, the competent authorities grant permission to the manumitted slave to remain.

There has lately (winter of 1843) been a statute enacted by the State Legislature, securing to married females the property (slaves of course included) which was theirs at the time of their marriage, and protecting it from the power and liabilities of their husbands. WILLIAM D. MERRICK.

Mr. Harding appealed to the General Conference, and that body, in the face of the resolution of 1840, sustained the act of suspension by a vote of 111 yeas to 53 nays. Thus they suspended a man from the ministry for not doing that which the laws of the State would not permit him to do!

The case of Bishop Andrew was next in order, and his letter to the Committee on Episcopacy gives a clear view of all the facts:

To the Committee on Episcopacy.

*Dear Brethren:* In reply to your inquiry, I submit the following statement of all the facts bearing on my connection with slavery. Several years since an old lady of Augusta, Ga., bequeathed to me a mulatto girl, in trust that I should take care of her until she should be nineteen years of age; that with *her consent* I should then send her to Liberia; and that in case of her refusal, I should keep her, and make her as free as the laws of the State of Georgia would permit. When the time arrived, she refused to go to Liberia, and of her own choice remains *legally* my slave, although I derive no pecuniary profit from her. She continues to live in her own house, on my lot; and has been, and is at present, at perfect liberty to go to a free State at her pleasure; but the laws of the State will not admit of her emancipation, nor admit such deed of emancipation to record, and she refuses to leave the State. In her case, therefore, I have been made a slave-holder legally, but not with my own consent.

2. About five years since, the mother of my former wife left to her daughter, *not to me*, a negro boy, and as my wife died without a will more than two years since, by the laws of the State he becomes my property. In this case as in the former, emancipation is impracticable in the State; but he shall be at liberty to leave the State whenever I shall be satisfied that he is prepared to provide for himself, or I can have sufficient security that he will be protected and provided for in the place to which he may go.

3. In the month of January last I married my present wife,

she being at the time possessed of slaves, inherited from her former husband's estate, and belonging to her. Shortly after our marriage, being unwilling to become their owner, regarding them as strictly hers, and the law not permitting their emancipation, I secured them to her by a deed of trust.

It will be obvious to you from the above statement of facts, that I have neither bought nor sold a slave; that, in the only two instances in which I am legally a slave-holder, emancipation is impracticable. As to the servants owned by my wife, I have no legal responsibilities in the premises, nor could my wife emancipate them if she desired to do so. I have thus plainly stated all the facts in the case, and submit the statement for the consideration of the General Conference.

JAMES O. ANDREW.

Notwithstanding the declaration of 1840, that the ownership of slaves "constituted no legal barrier to the election or ordination" of ministers, and hence to the exercise of any ministerial office in the Church, the General Conference of 1844 virtually deposed Bishop Andrew for failing to do that which he had no power to do.

Thus we have arrived at the crisis which eventuated in the "Plan of Separation" in 1844. We have seen the Church divided in 1828, the Canada Conference made independent, and a division of the Book Concern by a species of indirect legislation. Starting out as late as 1836 with the most solemn assurance of opposition to abolitionism, and determination not "to interfere in the civil and political relation between master and slave as it exists in the slave-holding States," we find in eight years a bishop deposed and a minister suspended from the ministry because they did not violate the laws of the States in which they lived!

# CHAPTER VIII.

Bishop Soule Laments the Absence of Forethought—Charge of Secession an After-thought—Report of Committee on Organization at Louisville—Ruin to Southern Methodism Prevented—Conservative Influence of the Southern Church—Majority of 1844 Recognize the "Plan of Separation" as a Finality—Bishops Recognize the Division of the Church—Council of July, 1845—Bishop Morris Refuses to Aid Disruption—Declares the Contingency Transpired—Will Not Undertake a Course of Nullification—Leaves That to Editors—Bishops Know Their Duty Better—"Plan of Separation" Not to Be Voted Upon by the Annual Conferences—Only the Alteration of Sixth Restrictive Rule Submitted to Vote—Bishop Morris Present at Louisville in 1845—Opportunities to Know Southern Feeling and Sentiment.

ON the 26th of September, 1844, four months after the adjournment of the General Conference, Bishop Soule wrote to Bishop Andrew that "Many of our Northern brethren seem now deeply to deplore the division of their Church." There was no question then as to the *fact* of a division, and Bishop Soule exclaimed: "O that there had been *forethought* as well as *after-thought!*"

It is easy to demonstrate that the charge of "secession" was an *after-thought* on the part of our brethren of the North. The various pleas that have been entered in the case are without avail. The proofs are indisputable that the "Plan of Separation" was adopted as the only possible measure that could restore peace and harmony to the Church. In the North, among "conservative"

men at least, the agitation of abolitionist demagogues would be so far discounted that it would put it out of their power to create a schism in the Church. New England was no longer responsible for the sin of a slave-holding bishop, and having sins of her own in sufficient quantity to command the energies of the reformers of mankind, it was believed that the people of Zion might have rest. The Southern Conferences, pursuing their own calling, and making ready for the orderly arrangement of the Lord's House, were cherishing the hope that at last there would be peace in all the land.

The attitude of the Southern Church will be clearly seen in the following extract from the report of the Committee on Organization, adopted in 1845 at Louisville. Throughout the entire South the vote had been taken upon the question of independent organization, and out of nearly 500,000 members there were not more than five in one hundred who were opposed to the movement, and these negative voices were chiefly on the extreme border of our territory. The report says:

The whole power of legislation is in the General Conference, and as that body is now constituted the Annual Conferences of the South are perfectly powerless in the resistance of wrong, and have no alternative left them but unconditional submission. And such submission to the views and action of the Northern majority on the subject of slavery, it is now demonstrated, *must bring disaster and ruin upon Southern Methodism, by rendering the Church an object of distrust on the part of the State.* In this way the assumed *conservative power* of the Methodist Episcopal Church, with regard to the *civil union* of the States, is to a great

extent destroyed, and we are compelled to believe that it is the *interest* and becomes the *duty* of the Church in the South to seek to exert such *conservative influence* in some *other* form; and after the most mature deliberation and careful examination of the whole subject, we know of nothing so likely to effect the object as the jurisdictional separation of the great Church parties, unfortunately involved in a religious and ecclesiastical controversy about an affair of State—a question of civil policy—over which the Church has no control, and with which, it is believed, she has no right to interfere. Among the nearly five hundred thousand ministers and members of the Conferences represented in this Convention, we do not know *one* not *deeply* and *intensely* interested in the *safety* and *perpetuity* of the *National Union*, nor can we for a moment hesitate *to pledge them all* against *any* cause of *action* or *policy* not calculated, in their judgment, *to render that union as immortal as the hopes of patriotism would have it to be!*

Here we have a distinct declaration of several important truths:

1. The South was in a minority in the General Conference; and however conscientious the majority might be, the suspension of Bishop Andrew proved that the minority was utterly helpless.

2. The honesty of purpose which actuated the Northern majority would continue to force upon the South a series of radical measures which must prove disastrous to Southern Methodism.

3. By setting up a distinct and independent Church organization, the conflicting elements would be removed from contact with each other, and peace would ensue.

4. In taking this position the Southern delegates believed that they were doing the utmost in their power for the preservation of the National Union.

Upon the question of the tyranny of the majority over the minority, we have a remarkable deliverance in the reply of the majority to the protest of the minority. As it plainly declares the purpose

of the action in 1844, we copy the entire paragraph:

The proposition for a peaceful separation (if any must take place), with which the protest closes, though strangely at variance with much that precedes, has already been met by the General Conference. *And the readiness with which that body* (by a vote which would doubtless have been unanimous but for the belief that some entertained of the unconstitutionality of the measure) *granted all that the Southern brethren themselves could ask, in such an event, must forever stand as a practical refutation of any assertion that the minority have been subjected to the tyranny of the majority.* ("Debates," p. 232.)

The English language cannot express more plainly the fact that the "Plan of Separation" was a division of the Church by the almost unanimous consent of the parties concerned. At a meeting of the bishops in New York, in July, 1845, the following resolutions were adopted:

1. *Resolved*, That the plan reported by the select committee of nine at the last General Conference, and adopted by that body, *in regard to a distinct ecclesiastical connection*, should such a course be found necessary by the Annual Conferences in the slave-holding States, is regarded by us as of binding obligation in the premises, so far as our administration is concerned.

2. *Resolved*, That in order to ascertain fairly the desire and purpose of these societies bordering on the line of division, in regard to their adherence to the Church, North or South, due notice should be given of the time, place, and object of the meeting for the above purpose, at which a Chairman and Secretary should be appointed, and the sense of all the members present be ascertained, and the same be forwarded to the bishop who may preside at the ensuing Annual Conferences; or forward to said presiding bishop a written request to be recognized and have a preacher sent them, with the names of the majority appended thereto.

A true copy. EDMUND S. JANES, *Secretary*.

Two months after this action of the bishops, and subsequent to the organization of the Methodist Episcopal Church, South, in May, 1845, Bishop Morris was requested to visit the Missouri Conference in the interest of certain parties who were opposed to the South. We copy Bishop Morris's reply:

BURLINGTON, IA., September 8, 1845.

*Rev. Wilson S. McMurry—Dear Brother:* Your letter of the 1st inst. is now before me. The resolutions to which you refer did pass in the meeting of the bishops in New York in July, unanimously. We all believe they are in accordance with the "Plan of Separation" adopted by the General Conference. Whether that plan was wise or foolish, constitutional or unconstitutional, did not become us to say, it being our duty, as bishops, to know what *the General Conference ordered to be done in a certain contingency, which has actually transpired*, and to carry it out in good faith. It is, perhaps, unfortunate that the resolutions were not immediately published, but it was not thought necessary at the time they passed. Still our administration will be conformed to them. Bishop Soule's notice was doubtless founded upon them.

As I am the responsible man at Indiana Conference, October 8, it will not be in my power to attend the Missouri Conference; nor do I think it important to do so. Were I there, I could not, with my views of propriety and responsibility, encourage subdivision. If a majority of the Missouri Conference resolve to come under the Methodist Episcopal Church, South, that would destroy the identity of the Missouri Conference as an integral part of the Methodist Episcopal Church. As to having two Missouri Conferences, each claiming to be the true one, and demanding the dividends of the Book Concern, and claiming the Church property, that is the very thing that the General Conference designed to prevent, by *adopting* the amicable "*Plan of Separation*." It is true that minority preachers have a right according to the general rule in the "Plan of Separation," to be recognized still in the Methodist Episcopal Church; but, in order to do that, they must go to some adjoining Conference in the

Methodist Episcopal Church. The border charges may, also, by a majority of votes, decide which organization they will adhere to; and if reported in regular order to the Conference from which they wish to be supplied, or to the bishop presiding, they will be attended to, on either side of the line of separation. But if any brethren suppose the bishops will send preachers from the North to interior charges, South, or to minorities of border charges, to produce disruption, or that they will encourage minority preachers on either side of the line to organize opposition lines, by establishing one Conference in the bounds of another, they are misled. That would be departing from the plain letter of the rule prescribed by the General Conference in the premises. *Editors may teach such nullification and answer for it, if they will; but the bishops all understand their duty better than* to indorse such principles. I acknowledge that, under the practical operation of the "Plan of Separation" some hard cases may arise, but the bishops do not make and have not the power to relieve them. It is the fault of the rule, and not of the executive administration of it. In the meantime there is much more bad feeling indulged in respecting the separation than there is necessity for. *If the "Plan of Separation" had been carried out in good faith and Christian feeling on both sides, it would scarcely have been felt any more than the division of an Annual Conference.* It need not destroy confidence or embarrass the work, if the business be managed in the spirit of Christ. I trust the time is not very far distant when brethren, North and South, will cease their hostilities, and betake themselves to their prayers and other appropriate duties in earnest. Then, and not till then, may we expect the Lord to bless us as in former days. I am, dear brother,

Yours respectfully and affectionately,

THOMAS A. MORRIS.

Let the reader examine this letter in connection with the answer to the Southern protest and the resolutions adopted by the bishops in July. The General Conference majority declared that they have "granted all that the Southern brethren themselves could ask," in the event of a peaceful

separation. Admitting the fact that the "Plan of Separation" makes this provision, and by that plan the thirteen Southern Conferences were recognized as the sole judges of the necessity for separation, nothing more was necessary but to hear from the Southern Conferences. In the fall of 1844 and the spring of 1845 every Southern Conference voted for the organization of an independent Church. The approach to unanimity was so great that there was scarcely any need for a discussion of the proposition. By ninety-five votes out of every hundred the half-million of Southern Methodists entered into the new organization, and, with the exception of a few instances on the border, similar to the one that was so severely rebuked by Bishop Morris, there was no occasion for strife or ill feeling. It was the desire of the Southern Church that the most fraternal relations should be sustained with the brethren of the North, and we did all that was in our power to secure that result. It is impossible to deny that the General Conference of 1844 adopted the "Plan of Separation" with the design of creating an independent Church in the South. It cannot be denied, also, that the only question that was left to be voted upon by the Annual Conferences was the division of the property of the Book Concern. *It was an after-thought*, and one that came many months after the actual division, that the whole "Plan of Separation" was to be voted upon in the Annual Conferences. Not a syllable to that effect is to be

found in the report of the committee of nine, and there was no more need for such a vote than there was in the case of Canada. All Church union is a voluntary union, and by mutual consent this union was dissolved in 1844 as certainly as it was in 1828.

Directly witnessing to this view of the case we have the testimony and the action of the Northern bishops. The Southern Methodist Convention in Louisville in May, 1845, organized the Southern Church, and two months afterward the Northern bishops met in New York to make a plan of their work. In that meeting they declared that the "Plan of Separation" was binding upon them, and by that plan a distinct ecclesiastical connection for the South was provided for. Inasmuch as, in the language of Bishop Morris, the certain contingency had actually transpired, in obedience to the order of the General Conference, the bishops governed themselves accordingly, and they agreed upon the method by which the sentiment of border congregations should be ascertained.

In accordance with this agreement, Bishop Morris refused to attend the Missouri Conference. He would have no part of the responsibility in producing "disruption," and any other course than loyal obedience to General Conference action he pronounced "nullification." He believed that the "Plan of Separation," if carried out in a Christian spirit, "would scarcely have been felt

any more than the division of an Annual Conference." Let it be remembered that Bishop Morris was present at the Louisville Convention in 1845, and that he had ample opportunities to appreciate the spirit of the representative men of the South. He expressed, in the sentiment we have just quoted, the earnest hope and purpose of the South, that peace and concord should govern in both sections. The utmost harmony prevailed in the South. By whose means, then, were discord and bitterness introduced into this final settlement of a long controversy? The leadership in the act of repudiation will soon appear from the records of the General Conference of 1848.

# CHAPTER IX.

General Conference of 1848—No Southern Delegate Present—Baltimore, the "Breakwater" Conference—Boundary Lines—Division of the Church Acknowledged—Dr. Pierce Present—His Letter to the Conference—Various Methods of Preparing to Reject Him—The Final Method—Ungenerous Treatment—Painful Exhibition of Party Feeling—No Fraternity with the South—Extraordinary Act—Pretended Infractions of the "Plan of Separation"—Excuses for Repudiation—Treatment of Bishop Soule—His Letter to the Conference—His Presence at Pittsburg Ignored.

THE tenth delegated General Conference of the Methodist Episcopal Church met in the city of Pittsburg, Pa., in May, 1848. There were 151 members, from the same territory that furnished 138 members in 1844. From the territory occupied by the thirteen Southern Annual Conferences there was not one delegate in 1848. The Baltimore Conference was the only body occupying slave-holding territory that was represented at Pittsburg. The old "Breakwater" Conference occupied a peculiar position. Its territory was in slave-holding States; but the Maryland portion, in which it was strongest, for many years had been the battle-ground of negro emancipation. At the first census, in 1790, free negroes constituted only 7 per cent. of the negro population. In 1850 they comprised 45 per cent. of the colored population. Within the Baltimore Conference owners of slaves

had sustained a greater pecuniary loss by emancipation than all of the Northern States had sustained in fifty years.

It is not competent for any impartial spectator (and certainly no honest historian will be less than that) to accuse the Baltimore Conference of bad faith in its treatment of the South. In that Conference the question first arose, and in that Conference the measures which culminated in Bishop Andrew's suspension were first matured and executed, in the celebrated case of the Rev. Mr. Harding. The charge of inconsistency lies in full force against the Baltimore brethren, but they believed that their action would secure peace and harmony. How ineffectually they labored to that end the history of the country shows. The Baltimore Conference sacrificed the South, and did not stay the progress of the Anarchists who first outraged and then represented "New England Sentiment."

Norval Wilson, of Baltimore, on the second day of the General Conference of 1848, offered a resolution on the subject of the boundary of the two Churches. This resolution was tabled, and that action became significant.

"Brother Elliott presented two memorials from Kentucky, asking redress for the grievances growing out of division line." Even the author of "The Great Secession" had not, as yet, accustomed himself to the word "secession."

Next we have a document that exhibited the

character and purposes of the Methodist Episcopal Church, South. "The following communication," says the *Journal*, "from Dr. L. Pierce was read, and referred to the Committee on the State of the Church:"

To the Bishops and Members of the Methodist Episcopal Church, in General Conference Assembled.

*Reverend and Dear Brethren:* The General Conference of the Methodist Episcopal Church, South, appointed me as their delegate to bear to you the Christian salutations of the Church, South, and to assure you that they sincerely desire that the two great bodies of Wesleyan Methodists, North and South, should maintain at all times a warm, confiding, and brotherly fraternal relation to each other; and that through me they make this offer to you, and very ardently desire that you, on your part, will accept the offer in the same spirit of brotherly love and kindness.

The acceptance or rejection of this proposition, made by your Southern brethren, is entirely at your disposal; and as my situation is one of painful solicitude until this question is decided, you will allow me to beg your earliest attention to it.

And I would further say, that your reply to this communication will most gratify me if it is made officially in the form of resolutions.

I have the honor to be, very respectfully, yours in the unity of Wesleyan Methodism, L. PIERCE,

*Delegate from the Methodist Episcopal Church, South.*

Pittsburg, May 3, 1848.

On the 5th of May the following report was presented by the Committee on the State of the Church:

That they have had under consideration the letter from the Rev. Dr. Pierce, and that they recommend to the General Conference the adoption of the following preamble and resolution:

Whereas, a letter from Rev. L. Pierce, D.D., delegate of the Methodist Episcopal Church, South, proposing fraternal relations between the Methodist Episcopal Church and the Meth-

odist Episcopal Church, *South*, has been presented to this Conference; and whereas there are serious questions and difficulties existing between the two bodies; therefore,

*Resolved*, That while we tender to the Rev. Dr. Pierce all personal courtesies, and invite him to attend our sessions, this General Conference does not consider it proper, at present, to enter into fraternal relations with the Methodist Episcopal Church, South. GEORGE PECK, *Chairman*.

Upon the reading of this extraordinary paper, in which a Christian body refused to receive a fraternal messenger, or to enter into fraternal relations with a Christian Church, a great variety of amendments was offered.

Dr. Holdich moved to amend by inviting Dr. Pierce to take a seat in the house, and "address us on the subject of his mission." On the subject of "fraternization," the Northern brother was in search of further light, and did not propose to give any immediate decision.

"J. D. Bridge moved to lay Brother Holdich's substitute on the table. Carried."

Dr. Tomlinson moved that there was nothing in the action proposed that would exclude any proposal from Dr. Pierce looking to a settlement of difficulties between the two Churches.

Dr. Durbin moved a substitute to this effect:

*Resolved*, That in so far as Dr. Pierce may come with authority to adjust the difficulties between the two bodies, we will cordially confer with him.

This was certainly as non-committal as any proposition could be, but Dr. Durbin's substitute failed.

Then the vote was taken on Dr. Tomlinson's proposition, and it was adopted.

The paper finally appeared in the following shape:

Whereas a letter from Rev. L. Pierce, D.D., delegate of the Methodist Episcopal Church, South, proposing fraternal relations between the Methodist Episcopal Church and the Methodist Episcopal Church, *South*, has been presented to this Conference; and whereas there are serious questions and difficulties existing between the two bodies; therefore,

*Resolved*, That while we extend to the Rev. Dr. Pierce all personal courtesies, and invite him to attend our sessions, this General Conference does not consider it proper, at present, to enter into fraternal relations with the Methodist Episcopal Church, South.

Provided, however, that nothing in this resolution shall be so construed as to operate as a bar to any propositions from Dr. Pierce, or any other representative of the Methodist Episcopal Church, South, toward the settlement of existing difficulties between that body and this. GEORGE PECK, *Chairman*.

This paper, as amended, was then passed by a vote of yeas 147, nays none!

The most extraordinary act, we venture to assert, that is recorded in the annals of ecclesiastical government! Does the reader perceive the object of this action? The General Conference had determined that the common property in the Book Concern should not be divided. Although the South had contributed the larger part of the original stock, it was determined that she should receive no benefit from it. To receive Dr. Pierce in his official character would vitiate the case of the North if the Southern Church should resolve to go to law for the purpose of *compelling* a division.

If these men of 1848 had put their wits together in order to shape the most effective insult to Dr. Pierce, they could have succeeded no better than they did, as the record of the Conference shows.

Mr. Collins moved, when the resolution was under discussion, to amend, by inserting "to take a seat within the bar," instead of "to attend our sessions." This motion was laid on the table.

The next day the following resolution was passed:

*Resolved*, That on the vote of yesterday, laying the motion of J. A. Collins, inviting Rev. Dr. Pierce within the bar, on the table, we did not intend to exclude Dr. Pierce, but believed the object of the amendment to be fully included in the original report.

Dr. Pierce was kindly furnished with a copy of the resolution!

Respect for the instincts of refined gentlemen ought to be a characteristic of Methodist preachers. Whether this treatment of Dr. Pierce could have been witnessed in any other part of the globe, we think a grave question of doubt. That the men who thus violated all the requirements of Christian courtesy, and keenly shaped an insult under the guise of a compliment, were under the influence of an irresistible dispensation of New England sentiment we think highly probable.

The following we copy from the journal, page 26:

The rules were suspended, to hear the appointments for preaching read.

After some remarks by the Chairman, referring to the action

of yesterday in the case of Dr. Pierce, Brother Davis moved to recommit the report, with the understanding that the committee are at full liberty to appoint any of our Southern brethren to preach that they shall judge proper; which, on motion of Brother Hall, was laid on the table.

The Chairman of the Committee on Appointments said that he stood corrected by the vote of the morning relative to Dr. Pierce.

We know not what the reader will be able to make of this record. It seems that the name of Dr. Pierce was not in the list of preachers appointed by the committee to occupy the pulpits on the following Sabbath. A kind-hearted Baltimore brother called attention to the omission, and in the elegant language of diplomacy endeavored to get the matter into shape without compromising the Conference with the recognition of Dr. Pierce as the delegate of the Southern Church. The Chairman of the committee, after Mr. Davis had been defeated in his brotherly purpose, falling back upon safe ground, immediately "stood corrected" by the vote of the morning. That is, as an invitation to "attend the sessions" is equivalent to an invitation to "occupy a seat within the bar," so the privilege of attending the sessions was equivalent to an invitation to fill the pulpit of any Church that would not feel itself attainted by recognizing the ministerial character of the Southern delegate! *

* We regret that we have been unable to find a paper written by the venerable man whose name and character were made the foot-ball of this body of representative men in 1848. In that paper, written at our special request, Dr. Pierce entered into details which have never found their way into print. Al-

Other than the question of property there were absolutely no "questions" or "difficulties" between the two bodies. The disputes on the border, between factions in the Churches, and the ignoble means resorted to in order to get or to keep possession of property, would have been countenanced by honest men on neither side of the division line. The trumpery charges brought up at this Conference, and bearing the signature of the Northern bishops, is a subject of painful humiliation and sorrow. But no man in his senses, uninfluenced by other and more plausible motives, could pretend that the intemperate zeal of half a dozen preachers in the "Northern Neck" of Virginia, or a solitary champion of "Southern aggression" in the city of Cincinnati could warrant the rejection of a fraternal messenger from the Southern Church. We will see presently the shape that matters were assuming.

But, inasmuch as the complaints of "infractions" of the "Plan of Separation" were made very early in the process of the "*Plan of Repudiation*" in 1848, we notice the introduction and the

though more than twenty years have elapsed since we saw that paper, the impression made by it can never be erased from our mind. The ingenious methods of torture to which he was subjected on that memorable occasion furnish cause for grateful contrast with the brotherly kindness and courtesy which have marked fraternal greetings and interchange of fraternal delegates in recent times. The effect is so delightful that it would be an unpardonable offense to change the attitudes of the two great bodies. "Distinct as the billows," let us be "one as the sea!"

proceedings under a very peculiar call. We quote from page 24 of the journal:

The Committee on the State of the Church respectfully beg leave to present a further report, in part, and to recommend to the General Conference the adoption of the following resolution:

*Resolved*, That the bishops of the Methodist Episcopal Church be, and they are hereby respectfully, requested to furnish to this General Conference a statement, in writing, of the instances in which they consider that the plan, contingently provided by the last General Conference, has been violated by the authorities of the Methodist Episcopal Church, South, by sending ministers and organizing societies within the bounds of the territory of this Conference.

Respectfuly submitted. GEORGE PECK, *Chairman.*

Dr. Jesse T. Peck offered a substitute for this resolution, and it was adopted, as follows:

*Resolved*, That the bishops be requested to furnish the Committee on the State of the Church with any facts which may be in their possession in relation to alleged infractions of the division line.

The wolf has evidently determined to eat the lamb, but he has not fully framed the proposition that is to furnish an excuse for the performance. The lamb is muddying the water down below, and for that reason the wolf is resolved to take his life, or to vindicate the quarrel he had once with his grandfather. It is not very evident how it happened, but a poor excuse is better than none. The South is not to have her share of the property, and even the conservative bishops who recognize, and have conformed themselves to the "Plan of Separation," are pressed into the service, and made the instruments to justify the "Plan of Repudiation."

After the reader has examined the whole bill of charges made in the singular paper signed by the bishops, he will find that every complaint concerns territory lying within the bounds of the slave-holding States, the solitary case of Cincinnati being the exception. Of the merits of the complaint from Cincinnati we have no knowledge and can pronounce no opinion. But it is certain that the bishops have failed to make out a case which warrants Dr. George Peck's grandiloquent assertion that "Southern encroachments stopped at nothing!" The "encroachment" of the lamb gently drinking a hundred yards below the law-loving wolf became intolerable, and to right the wrongs of a dozen fragments of circuits in Virginia and Maryland, the whole "Plan of Separation" must be declared "null and void!"

The case of Bishop Soule was disposed of in the same manner that characterized every subject touched by this General Conference when any mention was made of the Southern Church. Bishop Soule was born in Maine, and therefore had no social or hereditary reasons for preferring the cause of the South. He believed that the New England crusade in 1844, against Bishop Andrew, involved the most profound questions of Church polity and Christian doctrine. To no man in the history of Methodism, Bishop McKendree not excepted, is the constitutional character of American Methodism so greatly indebted as to Bishop Soule. He stood, in 1820, as the solitary barrier that re-

sisted the incoming waves of radical and revolutionary measures, and he triumphed in the sober second thought of the Church. But his voice was lost in 1844. There remained for him only one course: to cast his lot with the conservative South. Present at Louisville, and again at Petersburg, in 1846, he made known his preference, tendered his services, and was accepted by the General Conference as one of the Southern bishops.

It would seem that there could be no cause of offense in this action, warranted as it was by the "Plan of Separation." But the Conference of 1848 took a very different view of the matter. Bishop Soule was present at Pittsburg, but no notice was taken of him. He addressed a letter to the Conference, and the sole record is: "Also a paper from Bishop Soule, of the same Church."

We copy Bishop Soule's letter:

PITTSBURG, May 10, 1848.

To the Bishops and Members of the General Conference of the Methodist Episcopal Church, now in session.

*Reverend and Dear Brethren:* In conformity with the "Plan of Separation" adopted by the General Conference of 1844, providing for "a distinct ecclesiastical connection, should the Conferences in the slave-holding States find it necessary to unite in such a connection," these Conferences, at their first sessions after the General Conference, had the subject under deliberate consideration. But that there might be no hasty action in a matter of such important concern, and that the views and counsels of all the Conferences might be obtained, after sufficient time to examine the whole ground, they appointed delegates to meet in convention in Louisville, Ky., on the 1st of May, 1845. These delegates convened at the time and place appointed; and after deliberate examination of the deeply interesting subject on which they were met, accompanied with

much prayer, they came to the decision, with almost unparalleled unanimity, that it was necessary for the Conferences in the slave-holding States, represented by them in Convention, to unite in a distinct ecclesiastical connection, under the provisions of the General Conference. Having settled this important question, the Convention provided for the consummation of a separate organization by appointing a General Conference, to be held in Petersburg, Va., on the 1st of May, 1846. The acts of the Convention were submitted to the Annual Conferences for their approval, and, being approved, delegates were elected to the General Conference. The delegates having convened, and the General Conference being organized, I regarded the provisions of the "Plan of Separation" for a distinct ecclesiastical connection consummated in the establishment of the "Methodist Episcopal Church, South." So far as I have had cognizance of the deliberations and decisions of the General Conference, the Convention, and the Annual Conferences, it affords me pleasure to say that, according to my best judgment, they have been conducted with the strictest regard to the provisions of the "Plan," and with much of the same spirit of peace, brotherly kindness, and charity which marked its adoption in the General Conference of 1844 as a scene of the truly moral sublime. As soon as the General Conference was organized, I officially notified the body that I adhered to the Methodist Episcopal Church, South, in conformity with the second resolution of the "Plan of Separation," which is in the words following: "2. That ministers, local and traveling, of every grade and office in the Methodist Episcopal Church, may, as they prefer, remain in that Church, or, *without blame*, attach themselves to the Church, South." With this act, my official relation to this General Conference, and to the Methodist Episcopal Church under its jurisdiction, ceased. And being received as one of the bishops of the Methodist Episcopal Church, South, my official relations and responsibilities were transferred to that body.

From the foregoing facts it will readily be perceived that I hold myself amenable to the General Conference of the Methodist Episcopal Church for all my acts till the 1st of May, 1846. The chief object of my attendance at the present session of your body is to ascertain whether there are any charges to be preferred against me, and if so, to answer to them as best I may.

I am aware that it has been the *usage* of the General Conference to appoint a committee on the episcopacy, whose duty it is to inquire into the administration of the government, and other matters appertaining to this department in the Church, and to report the result of their examination to the Conference. To this course, under ordinary circumstances, I certainly have no objection; but coming before you under circumstances of an extraordinary character, such as have never existed before, I respectfully request that any action of the Conference, so far as my character is involved, growing out of publications in the official journal of the Church, may be had without reference to the committee.

In the *Western Christian Advocate* of the 12th of June, 1846, the editor, Rev. Charles Elliott, has made a declaration to the Church, and to the American people, to the extent of the circulation of that paper, which I regard as highly injurious to me, so far as Dr. Elliott is regarded as a man of truth. His declaration is in the words following: "But Bishop Soule has withdrawn from the Methodist Episcopal Church *under grave charges*, or liable to them. Charges, we learn, were officially laid in against him previous to the Convention." On the appearance of this announcement, I took the liberty to call on Dr. Elliott, in the presence of four ministers of age and experience, to obtain, if possible, an explanation of this extraordinary statement. In the course of this interview I proposed to Dr. Elliott the following question: "By whom were these charges laid in, or preferred, and who gave you the information?" To this question the doctor answered promptly, and in a manner suitable to the character of his office as a minister and editor. His reply was, in substance, "That in a letter which he received from James B. Finley, he informed him that he had laid in, or preferred, charges against me, previous to the Louisville Convention, and that he had furnished me with a copy of these charges." I assured the doctor that I had never received any charges laid in against me by Brother Finley, or the slightest intimation of any intention on his part to charge me, till he gave me the information. I have requested the doctor to retract this statement, so injurious to my character, so far as he is accredited as a man of truth; but this retraction not appearing, I have respectfully, but earnestly, requested him to publish, in the *Ad-*

*vocate*, the letter of Brother Finley giving him the information. Failing in this, I have several times requested to be furnished with these "grave charges," that I might know what they were, and have some time to prepare to meet them; but in this I have also failed. And although this statement of "grave charges officially laid in against me previous to the Convention" has now been before the American people for nearly two years, in one of the official journals of the Church, and (for aught I know to the contrary) may have gone to Canada, and crossed the Atlantic, I remain as perfectly ignorant of what those charges are as any member of your body, or as any citizen of this city.

In view of this plain statement of facts, which I think will not be denied, it must be perceived that I come before you under no ordinary embarrassments. It is scarcely possible that the announcement that "grave charges were officially laid in against me, under which I had withdrawn from the Church," coming from such a source, and sustained by such authority, should fail to produce an influence prejudicial to my character and my cause, if, by the presentation of the charges, I shall have an opportunity to make my defense. The shortness of time which I may have for preparation after I shall be put in possession of the charges may operate to my disadvantage. By waiving these considerations, however embarrassing, I avail myself of the opportunity now offered me, respectfully to request that my alleged accuser will lay in his charges to this Conference, and thus afford me an opportunity of making my defense as best I may before a tribunal to which I hold myself amenable, as previously stated. As I cannot, consistently with my sense of propriety, make any further communication to this Conference on this subject, either verbal or written, till the charges shall be presented, unless the *facts* before stated shall be denied, I respectfully request that this communication may not be made a matter of animadversion in the Conference, so as to produce a still stronger influence against me before the charges shall be prepared in proper form. I here dismiss this truly painful subject, which no motive could have induced me to lay before the Conference but justice to myself and to others whose characters may be as deeply involved as my own. And having made this communication as my last recourse to obtain

the knowledge of the charges which your official journal declares were laid in against me more than two years ago, and under which I had withdrawn from the Church, if I should fail to obtain these charges here, I will indulge the confident hope that such declaration will not be repeated, and that a favorable judgment will be passed upon me, at least at the tribunal of public opinion.

In conclusion, permit me to express my deep and sincere regret that you have found it expedient, as the result of your deliberations, to decline to recognize a fraternal relation, in the bonds of our common Methodism, to the Church, South. The unanimity with which you have arrived at this conclusion, both in your large and intelligent committee, and in your Conference action, may be regarded as evidence of the strong consolidation of the great body of ministers and people which you represent, and for which you act. And I will indulge the hope that, at least so far as regards all the essential elements which constitute the "unity of the body of Christ, which is his Church," this consolidation will be fully realized. But suffer me to say that though my voice, soon to be hushed in the silence of the tomb, can in all probability be heard no more in your councils; and those bonds which have bound me to you, as a branch of the great Wesleyan family of Methodists, for half a century, have been severed by your act; I still feel a deep solicitude for your connectional unity, and for the success of the great work committed to your charge. But I cannot free myself from the apprehension that your act may disturb the peace and harmony of your body, and be at least the *accidental* cause of unhappy differences among your body. Against such a result, though your action in connection with my relation to the Church, South, has neutralized any personal or official influence I might otherwise exert, I shall continue to interpose my prayers.

In the last four years, though not as successful as in some previous years, the work of God has gradually advanced in the Annual Conferences of the Church, South, and in some parts of the work we have had great and blessed revivals. The increase of white members is 17,462; colored, 23,896. Total increase in four years, 41,358.

Very respectfully and affectionately yours in Christian bonds,

JOSHUA SOULE.

We have stated that there is no record that the foregoing communication was ever read to the Conference. The mention made is, "a paper from Bishop Soule, of the same Church," but, on the same day, J. A. Collins offered the following resolution:

*Resolved*, That the communication from Bishop Soule to this General Conference be referred to a select committee of five, with instructions to report that as Bishop Soule has adhered to the Methodist Episcopal Church, *South*, and thereby withdrawn himself from the jurisdiction of this General Conference, it is improper for this body to take action upon the matters contained in this communication.

Let the reader remember the exact point of Bishop Soule's request. Dr. Elliott, in the *Western Christian Advocate*, said: "But Bishop Soule has withdrawn from the Methodist Episcopal Church *under grave charges*, or liable to them. Charges, we learn, were officially laid in against him previous to the Convention." If Dr. Elliott's assertion were *true*, Bishop Soule had a right to *demand* an investigation of his case at the hands of this General Conference, for he was a bishop of the Northern Church when the alleged cause for his arraignment occurred. To leave the matter in an uncertain shape, with vague insinuations involving the moral character of the highest officer in the Church, was undoubtedly a grave error on the part of this General Conference.

A. Griffith offered a substitute for the resolution of Mr. Collins, but it amounted to little more, in terms, and nothing more as a remedy, for the evil

perpetrated by the slanderous statement. Mr. Griffith's substitute declared that they had jurisdiction of nothing except "*a direct charge of immorality*" in the interval of the General Conference; therefore, as Bishop Soule had withdrawn from their Church, they had no jurisdiction over him! It was a remarkable position for a General Conference to assume, that while in the interval of the quadrennial sessions nothing but gross charges of immorality could be entertained, yet during the session a majority could depose a bishop who had done no wrong!

They did not intend to permit an investigation of the case, and a vote of "*non possumus*" was in order. What things soever they, under the leadership of Dr. Elliott, might have been disposed to consider "grave charges" can be conjectured only by the mind that can justify an act of separation in 1844 as necessary, and condemn the same act in 1848 as schism and secession. No man's character, not even his life, can be safe if it should be committed to the prejudices and passions of such victims of an infirm reason and reckless imagination.

Here we have a venerable man, a bishop in the Church of Christ, standing at the door of the General Conference, and requesting simple justice at their hands. The tongue of calumny and the pen of slander had given to the world a statement that grave charges had been preferred against this officer of the Church. The accused asked for in-

vestigation; asked to be confronted with his accusers, that he might have an opportunity to vindicate his character. What answer do these Christian ministers make to this petition of their brother in the bonds of the gospel?

Various propositions were made, amended, substituted, or pared down, and at last the grave deliberations resulted in the adoption of the following paper:

*Resolved*, That it is the sense of this General Conference that they have no jurisdiction over the Rev. Bishop Soule, and can exercise no ecclesiastical authority over him.

Thus, on page 47 of the printed Journal of 1848, stands a resolution beheaded of the preamble that proposed to give some sort of reason for the absolute denial of justice to the senior bishop of the Church! How this laconic declaration accords with the action of the Conference a few days afterward, we hope to show in the next chapter.

# CHAPTER X.

General Conference of 1848 a Remarkable Body—Determined to Repudiate the Work of 1844—Only Doubtful of the Means to Secure the End—Position of the South Not Understood—A Hopeless Case—Southern Delegates Did Not Refer the Plan of Separation to the Annual Conferences—Only the Change in Restrictive Rule Thus Referred—Assertion Without Proof—A Bold Statement—Two Statements by the Conference—Both Cannot Be True—Avoiding a Vote on the Reference—The Question of Dividing the Book Concern the Only Question Referred to the Vote of the Annual Conferences—Vote on the Restrictive Rule Divided the Property—Refusal to Divide the Property Did Not Annul the Plan for Dividing the Church—An Affirmative Vote Gave the South Her Share—A Negative Vote Denied the South Her Share—This Was the Only Effect of the Annual Conference Vote—South Made to Hang Church Organization upon Dividing the Property—False Position Becoming a Calumny—South Compelled to Sue in Order to Retain Her Own Possessions—Obscurity in the Returns of the Actual Vote—No Means of Ascertaining the Results Except Five Lines of a Report—No Records—Statement Contradicted—Plan of Separation Proves the Reference—Reasons for Repudiation—The Outcome Three Declarations—The Philosophy of Anarchy.

We believe that the General Conference of the Methodist Episcopal Church, convened in Pittsburg in May, 1848, was the most remarkable assembly of Christian men that the annals of Methodism have placed on record. The most astonishing propositions were offered by grave men not heated by debate, for there was no party to oppose them, the entire Conference being engaged in the

diligent search after reasons to justify a course of action which they had already determined to take. The great legal and scientific abilities of Dr. Simpson were brought into the service of the Conference, and one of the most tangled threads of sophistry and contradiction found the clue for its unwinding in one of his substitutes for the report of a committee.

The "laboring oar" became a heavy one at the beginning of the session. When the General Conference of 1844 adjourned, not one syllable was uttered to the effect that the "Plan of Separation" was to be voted on and determined by a three-fourths vote of all the Annual Conferences. To suppose that the Southern delegates would have agreed to such a proposition would have been a reflection upon their intelligence. The significant vote in the case of Bishop Andrew was sufficient to admonish them that there was no possibility of bringing Northern men to a just and sensible view of the position occupied by the Church in the South. To this hour that position is as distant from the apprehension of Northern men as it was in 1844. Millions of volumes might be written in vain if directed to the purpose of enlightening the minds of our brethren in the North upon this subject. If ever there was a case of "invincible ignorance," in the conservative sense of that term, as employed by modern Romanists, the present is an example of that deplorable condition. This was felt, acknowledged, and declared in the de-

bate of 1844. Can any sane man believe that, the vote which deposed Bishop Andrew being the *gravamen* of the Southern delegates, they could immediately consent to allow the men who inflicted the injury to determine whether the aggrieved party should seek redress? The proposition is absurd. And yet the General Conference of 1848 declared that the Southern delegates did that very thing. And what is more remarkable, they actually refer to the "Plan of Separation" to prove that it was a piece of child's play!

The reader will be astonished to see this fact arrayed in plain view, the assertion and the proof:

*Report of Committee of Nine, Journal, 1844, page 135.*

3. *Resolved*, by the delegates of all the Annual Conferences in General Conference Assembled, That we recommend to all the Annual Conferences, at their first approaching sessions, to authorize a change of the sixth restrictive article, so that the first clause shall read thus: "They shall not appropriate the produce of the Book Concern nor of the Chartered Fund to any other purpose other than for the benefit of the traveling, supernumerary, superannuated, and worn-out preachers, their wives, widows, and children, and to such other purposes as may be determined upon by the vote of two-thirds of the members of the General Conference."

*Report of Committee on the State of the Church, Journal, 1848, page 158.*

And further, in proof that the proposed alteration of the sixth restrictive article of the Discipline was a fundamental condition of this "Plan" *as a whole*, we refer to the third resolution of the report of the committee of nine, *in which it is expressly asserted.*

Now the reader has before his eyes the assertion and the proof. Every syllable of the third resolution of the committee of nine is copied above. Can human ingenuity point out the words of that resolution wherein it is "expressly asserted" that the adoption of the change of the restrictive rule was "*a fundamental condition of this 'Plan' as a whole?*" Not even by legitimate inference, much less by express statement, can such a conclusion be derived from that third resolution. Yet the General Conference of 1848 voted that the *express statement* is in the words above quoted! At the very same time, this General Conference refused or avoided the vote on the same statement in the report of the same committee, in which it is stated that the "Plan of Separation" was "designed to be dependent upon the occurrence of a specified necessity, *upon the concurrence of three-fourths of the members of the Annual Conferences.*" Dr. Simpson helped them out of the necessity for making a bold statement which extraordinary ingenuity only could authorize as a deduction from the proceedings of 1844. The only matter contingent upon the three-fourths vote of the Annual Conferences was the division of the Book Concern. But the "Book Concern" was not the Church. Did ever a Southern man declare that the organization of Southern Methodism was contingent upon the receipt of seventy-five cents *per capita* from the Book Funds in New York and Cincinnati?

But the inconsistencies multiply as we proceed. Dr. Simpson's substitute for the resolution which declared that the whole plan was dependent upon the three-fourths vote is as follows:

> It the ["Plan of Separation"] was further made dependent, first upon the consequence [*sic*] of three-fourths of the members of the several Annual Conferences *in reference to a part of its regulations.* (Journal, 1848, p. 81.)

We suppose that there is an error of the printer in this quotation. "Made dependent upon the consequence" we suppose was intended to be "made dependent upon the *concurrence*" of three-fourths, etc.

Thus understood, then let us place two votes of this General Conference side by side. The first is the proposition voted by the adoption of Dr. Simpson's substitute, and the second is the statement of the committee, also adopted by the Conference:

*Dr. Simpson's Substitute, Adopted May 26, 1848.*

It [the Plan of Separation] was further made dependent, first upon the concurrence of three-fourths of the members of the several Annual Conferences, *in reference to a part of its regulations.* (Journal, 1848, p. 81).

*Report of the Committee, Adopted June 1, 1848.*

And further, in proof that the proposed alteration of the sixth restrictive article of the Discipline was a fundamental condition of the 'Plan' *as a whole*, we refer to the third resolution of the report of the committee of nine, *in which it is expressly asserted.* (Journal, 1848, p. 158.)

If we understand the thread of logic that connects these two declarations of the Conference, there is abundant occasion for the exercise of in-

genuity. What was the "part of its regulations" which required a three-fourths vote of the Annual Conferences in concurrence? It was that part which referred to the alteration of the sixth restrictive article. This alteration, the Committee tells us, was fundamental to the whole "Plan of Separation," and they affirm that the simple statement of the question for a change of the rule, is an express statement that the whole "Plan" is null and void if the Annual Conferences refuse to make the change!

Let us see what would have happened if the three-fourths vote had been given upon the third resolution. Within eighteen months from the adjournment of the General Conference in 1844, upon the passage of the resolution, the property of the Book Concern would have been in process of distribution, and a portion would have been in the hands of the Southern Commissioners, waiting its disposal by the Southern General Conference appointed to meet in Petersburg, Va., in May, 1846.

Reversing the result, what would have been the effect of a failure to obtain a three-fourths vote in ratification of the third resolution? Nothing more, nothing less than a refusal of the Church to agree to the particular mode adopted for the distribution of the property. It might happen that the thing objected to was the ratio by which the property was ordered to be distributed. It might happen that the Church wanted another scheme of indirection similar to that employed in the Canada

case. We are not shut up to the alternative that the defeat of the third resolution destroyed the "Plan." The defeat of an identical proposition in 1836 did not annul the act of division by which Canada became a separate Church in 1828.

But our brethren "over the line" have endeavored to force us into the position, in which we are made to declare that unless we get our share of the Book Concern we wanted no Church at all! Either we must get our sixty or seventy cents *per capita*, or we submit to the abolitionist crusaders for all time to come! And the clear-headed Robert Paine is made responsible for such a "settlement" as that!

So far from meriting such a stigma, there were multitudes of Southern Methodists that would have given a receipt in full for all the property claims we had upon the Book Concern rather than see our own "General Rules" set at defiance by "brother going to law with brother!" It was a cruel alternative that compelled that disagreeable necessity in order to preserve under the civil laws the property which our labor had earned in the days of our severest trials. Declared secessionists by the General Conference of 1848, we were compelled to go into the courts to prove our title to the property we had purchased with our own money.

We return to the question of the vote on the change of the sixth restrictive rule. We find a deep shadow resting upon the "returns" from that famous election. How did New York Con-

ference vote? What was the number of yeas, and how many nays were there? The Southern Conferences we know something about. The vote is tabulated, and we have no difficulty in finding out the state of the case. But the profoundest darkness rests upon the other side of the line. We have examined every document that we supposed likely to contain this vote of the Northern Conferences. The only reference that we find in the Journal of 1848 is the following, on page 56:

> The Committee on the State of the Church presented a report on the state of the vote to alter the sixth restrictive rule, to the effect that the number of votes required by the Discipline to change said rule had not been given.
>
> Moved to receive report, and order it to be entered upon the journal of reports.

What book was designated the "journal of reports," we are not able to say. But the editor of the published journal has not given to the public the report of this committee, nor can we find it in any of the numerous documents that were entered in the Church suit. The attorney of the Northern Church simply quotes the above record, but Mr. Lord, in his opening speech in behalf of the South, makes a statement that has not received due attention. As a statement of fact, it is a complete denial of the record of the General Conference of 1848. It is part of the bill of the complainants, the commissioners appointed by the Southern Church to receive the property belonging to the South. We copy a part of a paragraph found on

page 11 of "The Methodist Church Property Case:"

> But the complainants allege that, if the change in the sixth restrictive article is necessary in order that the Church, South, should obtain an equitable division of the Church property, a majority of three-fourths of all the members of the several Annual Conferences which voted directly on the question, in view of a division of the property, *has been obtained.*

Here we have a positive declaration that there was a three-fourths majority obtained, but where shall we find the details upon which this assertion was made? So far as the Southern Conferences are concerned, we know that the vote was almost absolutely unanimous, and if the Conferences North and South were counted, then of the whole number the required three-fourths may have been obtained. But how shall we account for the absence of that important report of 1848? Why is it that we have no means of examining the action of particular Conferences, and are unable to tell what the vote actually was? We would not insinuate that there was any unfair dealing in this matter, but it is certainly a very remarkable omission, from whatever cause it occurred.

As to the main question, whether the entire "Plan of Separation" was submitted to the vote of the Annual Conferences, or only that part of the "Plan" which related to a division of the property in the Book Concern, the evidence of the "Plan" itself is as clear as it is possible for words to make it. In proof of this statement the reader has only to read the concluding paragraph of the

report of the committee of nine. We copy from the journal of 1844, page 137:

12. That the bishops be respectfully requested to lay *that part of this report requiring the action of the Annual Conferences* before them as soon as possible, beginning with the New York Conference.

Is it possible for language to make the fact plainer? The only resolution that was referred to the Annual Conferences was the third, in which the alteration of the sixth restrictive rule is recommended.

But, given the fact that the "Plan of Separation" must be repudiated, the means for attaining that end were not so easy to find. It would scarcely be allowable to make the admission that the astute Northerners had set a trap for the Southern gulls in 1844. To affirm that the Southern delegates were betrayed into a bargain that placed all the power on the side of those that had compelled the South to protest would be equally fatal to Christian manhood and common honesty, virtues denied to neither party. A constitutional question was at stake, and great principles of ecclesiastical law were brought into the arena of debate.

Scarcely anywhere upon the borders were cases wanting. Individuals, families, parts of Churches, fragments of Conferences finding their sympathizers receding from "slave" soil, would offer excellent occasions to test great principles. Petitions were easily gotten up. Scores, hundreds probably could have been obtained, for the family

of the dissatisfied is very large, and sometimes very active, and, it may be added, that the members thereof are sometimes very useful. That there were such persons in the border Conferences cannot be doubted. Whether they would form a large or a small minority in the border Churches would depend largely upon the conduct of the parties concerned in the division of the Church in these communities. If party spirit should be aroused, and bitterness of feeling excited, the number of displeased persons would be increased accordingly. But when it was known that this complaint would be kindly received and wisely used at the General Conference, we cannot be surprised at the appearance of many petitions at Pittsburg.

The process adopted for the perfection of the "Plan of Repudiation" in 1848 afforded opportunity for much debate. Many methods of doing the thing were proposed, but to the thing itself the opposition was merely nomial. Under the form of "declarations" we have four propositions, three of which were adopted, and the fourth displaced by Dr. Simpson's substitute. We give them in the order recorded in the Journal:

1. There exists no power in the General Conference of the Methodist Episcopal Church to pass any act which, either directly or indirectly, effectuates, authorizes, or sanctions a division of said Church. (Page 73.)

This "declaration" was adopted by 143 yeas to 3 nays.

2d declaration. It is the right of any member of the Methodist Episcopal Church to remain in said Church unless guilty of the violation of its rules, and there exists no power in the ministry, either individually or collectively, to deprive any member of said right.

The vote on this proposition was: Yeas, 147; nay, 1.

3d declaration. This right being inviolably secured by the fifth restrictive article of the Discipline, which guarantees to members, ministers, and preachers the right of trial and appeal, any acts of the Church otherwise separating them from said Church contravene the constitutional rights and privileges of the membership and ministry.

The vote on the adoption of this proposition was; Yeas, 142; nays, 6.

The members of this Conference were in search of a principle. They wanted a principle broad enough to base an act of repudiation, whereby the action of 1844 could be annulled. And they were eminently successful in this search. They have given us in the three resolutions above quoted three principles broad enough to destroy all government, civil and ecclesiastical. The Conference discovered the philosophy of anarchy, and eagerly indorsed the discovery by an overwhelming vote of approval. To all time the record must stand as the mature judgment of the Methodist Episcopal Church (North).

1. The first proposition is negative. It tells us that a certain power does not exist in the General Conference. That body, declared *omnipotent* in 1844, becomes absolutely *impotent* in 1848, and

can neither divide one Church into two branches, nor unite two Churches in one jurisdiction.

2. The second resolution is a high-sounding collocation of words, framed for the purpose of fitting an emergency, and so delightfully ambiguous is the declaration itself that any number of decisions might be authorized by its language. Undoubtedly it is the right of any man who prefers it to be a member of the Church (North), and no person on earth has the power to deprive him of that right except the legal authorities, and they only for a violation of rules. Suppose a member chooses to live in London and hold his membership in New York. How shall the absentee be dealt with? Shall it be called and voted a crime to live in London? Special enactment may be made to fit such cases; but these are endless sources of trouble, litigation, and confusion in this Pandora's box of invited evils. Forty years before that Conference a Methodist preacher would have been astonished at the statement that he had no power to "drop" a member or a probationer whenever he considered it best to do so. Times have changed. Church membership is a more sacred thing, and rightly so. But the doctrine of *indelible* membership, broadly asserted in this declaration, is totally unknown outside of national Churches.

3. The third resolution, taken in itself, is an elaborate statement of a self-evident truth, but the framers of the resolution intended to make it useful in the "Plan of Repudiation." In the first

place, the "Plan of Separation" did not deprive any member of the Methodist Episcopal Church of any right whatever. The doctrine that a minority has the right to dominate a majority, and thereby one man is allowed to shape the course of a Church of five hundred members, is too absurd for argument. Yet this is precisely the doctrine of these "declarations."

Let us take a case. In the city of St. Louis a Church has five hundred members. Four hundred and ninety-nine vote to adhere South. One man chooses to adhere North. That one man, under these absurd "declarations," can prevent the four hundred and ninety-nine from carrying out their purpose! The sickly shadow of the law of fiduciary agencies may be seen faintly defined in this philosophy of anarchy. But no Church in America was ever governed or can be governed by such principles. They are subversive of the fundamental principles of Church organization.

But the adoption of these declarations has forever forestalled the Methodist Church (North) from forming an organic union with any other Church in Christendom. If it be good law—that is, that there is "no power in the ministry, either individually or collectively, to deprive" a member of the Methodist Episcopal Church of his membership in that body—it is equally good law that no power exists in the aforesaid ministry to deprive a member of his membership in the Methodist Episcopal Church, South. If a million of communi-

cants in the Southern Church should vote for organic union, one man can interfere and nullify the proceedings by refusing his concurrence. According to these "declarations" there is no constitutional power on earth that can unite two Churches in one jurisdiction, if *any member of the Church that is to change its name objects to the union.* As there cannot be two Churches, South, the Pittsburg philosophy of anarchy forever prohibits organic union of Episcopal Methodism in the United States. The same consequence follows in all respects, when any other Church may be proposed for union. Many scores of Methodist Protestants have united with the Methodist Episcopal Church, South. According to these "declarations," it would have been utterly useless for any negotiation between the authorities on either side. One member could render all attempts at union abortive!

But the reader will probably be rewarded for the time and labor which the study of these "declarations" may cost him, if he takes into view the fact that the logical outcome of the Pittsburg declaration is *a State Church.* The attempt to identify membership and jurisdiction, the effort to find an analogy between Church membership and birth citizenship; and, finally, the adoption of civil rules and political procedures in the enforcement of ecclesiastical law, are grave and significant facts. The doctrine that wherever the flag waves there Church jurisdiction exists is a doctrine as

full of menace to the State as the claim of Rome that every baptized person is a vassal of the Bishop of Rome. Here we have tyranny in embryo and anarchy following resistance.

4th declaration. The report of the select committee of nine upon the declaration of the delegates in the slaveholding States, commonly called the "Plan of Separation," adopted by the last General Conference, of which the memorialists complain, and the operation of which separated them from connection with the Methodist Episcopal Church, having been intended to secure peace and harmony in our Southern boundary, and having been designed to be dependent upon the occurrence of a specified necessity, upon the concurrence of three-fourths of the members of the Annual Conferences, and upon the observance of a specified boundary by the distinct ecclesiastical connection separating from us, should such connection be formed, and the said necessity, in the opinion of this Conference, not having arisen, the Annual Conferences having refused the necessary concurrence, and said provisions respecting a boundary having been infracted by the highest authorities of said connection, therefore, in view of these facts, as well as for the reasons before specified, there exists no obligation on the part of this Conference to observe the provisions of said "Plan" respecting a boundary, and said "Plan" is hereby declared null and void.

This extraordinary declaration was too much for the Conference. It was, in many respects, the most remarkable statement that claimed the attention of this remarkable Conference. It declared that a "Plan of Separation" was adopted. This "Plan" separated certain persons from the Methodist Episcopal Church, and they complained of it. It affirms that the "Plan" was intended "to secure peace and harmony in our Southern boundary," a marvelous statement which we will notice

in another place. But the next series of propositions declared that the "Plan" was *dependent* upon: 1. A specified necessity. 2. The concurrence of three-fourths of the members of the Annual Conferences. 3. Upon the observance of a specified boundary. It declared: 1. The necessity has *not* arisen. 2. The boundary has *not* been observed. 3. The three-fourths vote has not been obtained. Therefore, the "Plan of Separation" is null and void!

This bundle of crude assertions without proof, and reasons that destroyed one another, was laid aside for a better collocation of absurdities produced by Dr. Simpson in the form of a substitute.

# CHAPTER XI.

Dr. Simpson's Substitute—First Section Contradicts the "Plan of Separation"—Adopted—Deposition of Bishop Andrew Dissolved the Methodist Union—Absurdity of a Peace Offering—The South Only Needed One—The Border Did Not—Wisdom of This Generation—How to Hold the Border—Further Dependence—Second Section Adopted—Third Resolution Did Not Involve the Adoption of the Plan—Charge of Imbecility Against the Southern Delegates—Third Section Adopted—Was It an Intended Trap?—Fourth Section—Waiting for Ruin First, to Be Repaired Afterward—Action of Delegates after the Conference Adjourned—Objection to It a Pretext Only—Surprised Fanatics—Remembrances of 1844—Section Five Adopted—Question of Fact Which Has Only Assertion for Proof—Section Six Adopted—The Wolf Finds an Excuse for Eating the Lamb—Section Seven Adopted—Absolution Decree—A High Court for Annulling Compacts—Section Eight—Closing the Book of Pretexts—Kentucky Court of Appeals Upsets Dr. Simpson's Logic—Melancholy Attitude of a General Conference—Final Settlement of the Property Question—Decree of the United States Circuit Court for Southern District of New York—Final Award of the Supreme Court of the United States—The South Receives Her Portion—Courage of Dr. Crooks.

DR. SIMPSON proposed a substitute for the fourth declaration, and it was adopted by sections. We copy from the Journal, beginning at page 80:

First Section. The report of the select committee of nine on the declaration of the delegates in the slaveholding States, adopted by the General Conference of 1844, of which the memorialists complain, and the operation of which deprives them of their privileges as members of the M. E. Church, *was intended to meet a necessity which it was alleged might arise, and was given as a peace offering to secure harmony on our Southern border.*

This section was adopted by yeas 133; nays, 5.

A close analysis of this paragraph will show that the author of this substitute began the paper with a bold, unblushing misrepresentation both of the attitude of the Southern delegates and the explicit declaration of the "Plan of Separation." The substitute says that the "Plan" was adopted to meet a necessity that *might* arise. What can be more explicit than the language of the first paragraph in the "Plan?" We copy from the Journal of 1844, page 135:

> Whereas a declaration has been presented to this General Conference, with the signatures of *fifty-one* delegates of the body, from thirteen Annual Conferences in the slaveholding States, representing that, *for various reasons enumerated, the objects and purposes of the Christian ministry and Church organization cannot be successfully accomplished by them under the jurisdiction of this General Conference as now constituted.*

Dr. Simpson says that the plan was adopted "to meet a necessity which it was alleged *might* arise," but the "Plan" itself says that it was adopted because the *necessity had already arisen!* In utter defiance of the facts, this substitute actually declares that the delegates in the slaveholding States had abandoned their position in regard to Bishop Andrew, and had placed the *cause* for the separation in something to be said or done at some future time! This assertion is utterly at variance with the record, with the declarations on the Conference floor, and with the absolute statement of the "Plan" itself.

*The vote that deposed Bishop Andrew dissolved*

*the union of Episcopal Methodism in the United States.* The thing was an accomplished fact. Not a man among the fifty-one delegates would have been tolerated by his Southern constituents if he had failed to vindicate his people by devising some method of protecting the rights of the South. The General Conference declared its hostility to the civil law, to the social order, as well as to the peace and well-being of the Southern States. Tame submission to that action of 1844 would have destroyed, root and branch, every Methodist organization in the slaveholding States. The intelligent people of the South, and the well-informed classes in every other portion of the country foresaw the result. It had come to pass that loyalty to the General Conference was treason to the South; and when Bishop Andrew's deposition was completed, the broad line of separation was drawn with unmistakable distinctness.

Dr. Simpson's substitute says that this "Plan of Separation" "*was given as a peace offering to secure harmony on our southern border.*" We confess our inability to understand what was meant by this "peace offering." Nor do we know what is meant by "our southern border." It was not the "border" between the slaveholding and the Northern States that was involved in the struggle of 1844. There was, it is true, more or less of agitation among the people on *our* northern border, where slave labor was becoming less profitable and less secure. Philanthropic people could sell

their slaves to the Southern masters and then turn abolitionists in Maryland, Delaware, and the northern portions of Virginia, Kentucky, and Missouri just as easily as New England and New Jersey humanitarians had set them the example. Politicians catered for the prospect of majorities on both sides of the line, and *they* desired no "peace offering." In what possible sense could the "Plan of Separation" be a "peace offering" for the border Conferences? It was the South that was aggrieved; it was the South whose very existence was threatened by the crusade begun in 1844, and terminated in 1865.

Let us strive to extract a meaning out of these strange words. Who needed a "peace offering?" Certainly the people whose existence was placed in peril by the deposition of Bishop Andrew. Why then was this offering given to the people on the Southern border? For instance, the Baltimore Conference wanted no peace offering, for that Conference had voted for Bishop Andrew's deposition. How then could the "Plan of Separation," which set apart the Southern Conferences in an independent Church, act as a peace offering to Baltimore?

Church politicians knew very well how to keep the "border" in the harness of the Church. City people know very little about matters of Connectional interest, and most of these "border" brethren were city people. Let the comfortable city Methodist see his favorite pastor in the pulpit,

and all the rest of Methodism is welcome to go where and do as they may like. *He* reads no Church paper, although he may pay for one. If he can keep his thoughts out of his business long enough to listen to two sermons of thirty minutes each, his weekly modicum of duty has been performed, greatly to his own satisfaction. Beyond this he knows little and cares less for the Church as a whole. He is perfectly willing to let others do as he does, and he knows only what concerns himself. Let any man start out upon an adventure in the matter of testing the Connectional knowledge of city Methodism in Baltimore, Philadelphia, New York, Richmond, or Nashville, and he will verify this statement.

The bishops of the Northern Church are wise, and in the main conservative men. They know how to supply "our border" with the men whose education, tastes, opinions, and experience qualify them for quiet, conservative, and *safe* pastoral management in quasi Southern congregations. This is the most effective "peace offering" that has ever been given to any people, and we admire the wisdom that has perfected such a "Plan."

But *how* could the "Plan of Separation" act as a "peace offering" to anybody? The South, organized in an independent Church, wanted nothing more but fraternal recognition and the sacred emulation which inspires men to noble and gracious deeds. The northern border did not need and the southern border could not use such a "peace

offering" unless an independent Church was organized, and then the best "offering" of the North would have been strict attention to their own affairs, leaving the South to do the same thing. We will not say that the language of this substitute was not intended to convey *some* meaning. In point of fact, we believe that it was intended to mean anything that the exigencies of the case might require.

We proceed to the next item.

Section 2. It was further made dependent, first upon the consequence [concurrence] of three-fourths of the members of the several Annual Conferences, *in reference to a part of its regulations.*

This section was adopted by yeas 124; nays, 16.

We have rarely seen such a wonderful specimen of reasoning as that which this section contains. The entire "Plan of Separation" was made "dependent" upon a vote upon "a part of its regulations!" The absurdity of this statement must appear to every man of average intelligence. We have already alluded to the tortuous course that has been pursued by the defenders of this Pittsburg Conference. First, it is asserted that the *whole* "Plan" was submitted to a vote of the Annual Conferences. In reply to this, it is stated that the "Plan" itself submits only the third resolution to a vote of the Annual Conferences, and, as a matter of fact, *no vote was taken upon any but the third resolution of the "Plan."* Seeing the obstacles presented by the plain text of the paper, and

the unanswerable *fact* concerning the submission of the third resolution *only*, the ground of defense is shifted. "True," they say, "the vote was taken only on the third resolution, but *upon that resolution depends the 'Plan' as a whole.*" But we ask: Where is any such declaration to be found? Certainly not in the "Plan" itself, for there is not one syllable there that could justify such a construction. We know that the Committee on the State of the Church in 1848 said so, and boldly cited the third resolution as proof, but the reader has already seen that there is not one word in that resolution that can be distorted into such a meaning, a construction utterly foreign to the intent and purpose of those who matured the paper and presented it to the Conference.

If we could be induced to believe that the Southern men of 1844 intended to submit the question of separation to the vote of the Annual Conferences, we must give them the credit for less intelligence than even their enemies give them in this work. If they intended to submit the whole "Plan," why did they refuse to say so? If they intended to make the success or failure of the "Plan" for a new Church organization in the South to depend upon the adoption of the third resolution changing the restrictive rules, why did they fail to say so? Surely explicit language was not difficult to find, and there were many members of that body who were fully competent to produce a paper that could leave no doubt as to its mean-

ing. To say that they used ambiguous language may serve as a precedent for the Conference of 1848, but it could not soften the condemnation of the world. We are confident that no class of men, of equal intelligence, ever adopted a paper, or pursued a course of such indefensible and unmeasured folly as that attributed to the Southern delegates of 1844 by the statement in this section.

The next paragraph is a rare specimen of logic:

Section 3. And secondly upon the observance of certain provisions respecting a boundary by the distinct ecclesiastical Connection separating from us, should such Connection be formed.

The vote upon this section was: Yeas, 127; nays, 10.

We have called it a "rare specimen of logic." But what shall we call the "Plan of Separation," if the interpretation of that paper, given by this General Conference of 1848, can be the true one? And what shall we say of the clear-headed Northern men who stood by and allowed their Southern brethren, as benighted in intellect as they were in morals, to walk into a trap whereby they would be exposed to the derision of mankind?

Here we have another contingency, besides the vote of a hostile section, upon which a separate Church must depend for its existence. If the Southern men do not obey their own propositions for a boundary line, then there never was a boundary, and they never had a Church! The wolf is coming forward with his grievances; for the water is muddy somewhere, above or below, and the

offender is, or might have been, or intended to be, or, as a matter of fact could have been, and therefore was in the wrong, because the wolf has a very decided taste for tender flesh!

But the rarest specimen of wit is yet to follow:

Section 4. Without waiting, as this Conference believes, for the occurrence of the anticipated necessity, for which the "Plan" was framed, action was taken in the premises by the Southern delegates.

The vote upon this statement was: Yeas, 130, nays, 6.

"Without waiting" for what? "The anticipated necessity" for what? An independent Church organization. Was this an *anticipated* necessity, when the "Plan of Separation" distinctly declares, as already quoted, "*for various reasons enumerated, the objects and purposes of the Christian ministry and Church organization* CANNOT *be successfully accomplished by them* UNDER THE JURISDICTION OF THIS GENERAL CONFERENCE AS NOW CONSTITUTED?" The necessity existed the very moment that Bishop Andrew was deposed because he would not, and could not, nullify the laws of the State in which he lived. Mr. Lord, attorney for the South, correctly states the point in the Church suit: "They say, that this grant of the power of separation, as actually assented to, was contingent upon the experiment being made in the Southern Churches of whether they could be ruined first, and repaired afterward."

We have no doubt that many persons were *sur-*

*prised* when the Southern delegates held a consultation at the close of the General Conference, and gave their views to their brethren in the South. This surprise was occasioned, in many cases, by the inveterate impression on the minds of Northern people that the utterances of the Southern delegates amounted to little more than the gasconade of men who loved to hear themselves talk. If Dr. Crooks has taken the pains to look over the pages of the "debates of 1844," we have no doubt that he holds even to this day the opinion shared by thousands in the North during the session of the Conference. But when these grave Southern men met together for calm deliberation, in a foreign society and surrounded by those who could not appreciate their motives, the intensity of their convictions and the magnitude of the impending movement suddenly aroused a painful and *alarmed* curiosity. After all, were these men in earnest? Have they spoken the truth in regard to the profound importance attached to the deposition of Bishop Andrew?

As in the twinkling of an eye, this consultation of the Southern delegates awakened the Northern men to consciousness not only that the Church was divided, but that the division had been caused by a decision that was forced upon the Church by the fanaticism of New England. We are free to say that the consultation of the Southern delegates in New York had no further influence upon the result than any other meeting of Southern

ministers would have produced at that time. Not the least of many blunders of Northern men, in their judgment of the South, is the supposition that the Southern people are easily led by a few prominent men into any course of policy that these "leaders" may choose. We dare to make the assertion that there are more independent thinkers in the South, in proportion to population, than there are in any other section of the country, New England by no means excepted. Be that as it may, a circular letter from the venerable Lovick Pierce, or Dr. Winans, or Dr. McFerrin, or any one of a hundred names that might be mentioned, would have exercised precisely the same influence that was produced by the meeting of the Southern delegates in New York.

The father of the writer of these lines was the editor of a secular paper at the time, and no impressions of childhood are more vivid than those which record the intensity of interest felt in a Southern city during that famous Conference. We remember, too, the feeling of relief that was everywhere expressed when the "Plan of Separation" was adopted and the way was opened for the preservation of Methodism in the South. Even those who had no feeling of sympathy with our Church were nevertheless rejoiced because a fruitful source of unprofitable debate had been removed from the councils of the Church. No event that has occurred in the history of Methodism has reflected so much honor upon the integrity,

charity, and Christian principles of the ministry as the adoption of the "Plan of Separation" in 1844. We regret to be compelled to add that no event in the history of our Church has shocked the sensibilities of the Christian Church in equal measure with the "Plan of Repudiation" adopted in 1848.

The way having been prepared for an appropriate conclusion, we find in the Journal the next step in the "Plan of Repudiation:"

Section 4. The Annual Conferences, by their votes officially received, have refused to concur with that part of the Plan which was submitted to them.

Upon this section the vote was: Yeas, 122; nays, 15.

We are at a loss to know the meaning of a negative vote on a question of fact, unless it means a *denial of the fact*. What did these fifteen men mean by voting *no* upon this proposition? Did they mean that the *fact* was uncertain, so long as the votes of the slaveholding Conferences were unknown? Did they intend to challenge the fact in reference to their own Church? We have no means of answering these questions, and conjecture must supply the place of certainty. These demurring brethren had, doubtless, the details of the election; we have only the report of a "returning board," and the possibilities in the case are "legion." It does not matter, however, for we have another spinning of the thread that was sufficiently fine in a former section:

Section 6. And the provisions respecting a boundary have

been violated by the highest authorities of said Connection, which separated from us, and thereby the peace and harmony of the societies in our Southern border have been destroyed.

The vote upon this statement was: Yeas, 135; nays, 4.

The wolf has made out his case. "The provisions respecting a boundary have been violated *by the highest authorities* of said Connection, *which separated from us*, and thereby the peace and harmony of *our* southern border have been destroyed!" Therefore, what? We will proceed to eat the lamb, just as soon as he is thoroughly cooked.

We have no disposition to enter into the petty details that a desperate cause was compelled to use as a *reason* for repudiating a solemn obligation and a sacred compact. The combined genius of a great Church was exercised for weeks upon the problem: How shall we escape from the consequences of our own acts? The outcome was this medley of assertion distorted into statements of facts, and straggling arguments boasting with all the energy of a thousand men in buckram.

Nearing the end, we have

Section 7. Therefore, in view of these facts, as well as for the principles contained in the preceding declarations, there exists no obligation on the part of this Conference to observe the provisions of said "Plan."

This determination was adopted by yeas 127; nays, 13.

A wonderful train of argument, truly! The General Conference had no power to divide

the Church, but they did it. Having divided it, the South promised to observe certain lines of territory, every one of which was in a slaveholding State, except it may be, a little chapel in Cincinnati.

The outrageous Southern men dared to serve their own people, living in slaveholding States, and because they did so were branded as intruders, and the whole "Plan of Separation" was repudiated because Southern people preferred to have Southern ministers as their pastors!

One more resolve closes the wonderful record:

Section 8. *And is hereby declared null and void.*

This was adopted by yeas 133; nays, 9.

But the courts of the United States overruled all of this fine logic of Dr. Simpson. The Court of Appeals of Kentucky declared the "Plan of Separation" legally binding, and announced to the world that the Methodist Episcopal Church, South, was not a *schism*, not a *secession*, but a duly organized Church, constituted by the properly authorized agents, and with the consent of all parties who had any right to a voice in the matter.

The decision of this court, if it had been formed as a special criticism and answer to the logic of Dr. Simpson, could not have been more thoroughly destructive of his argument and of the work of the General Conference of 1848. That our readers may see the tenor of the argument by which the Kentucky Court of Appeals decided the ownership of property under the "Plan of Separa-

tion," we quote from the decision in the Maysville Church Case, on page 207 of "The Methodist Church Property Case:"

The resolutions constituting the "Plan of Separation," do not expel any individual from the society of which he was a member, nor deprive him of any privilege of property or worship pertaining to that society. But as they propose and provide for a complete separation, according to the organic or territorial divisions of the Church, they necessarily involve a partition of the governing power between two jurisdictions, each possessing within its territorial limits the same authority and power as had previously belonged to the whole Church.

To say that the Church could not be legally or rightfully divided, according to its organic or territorial parts, without the unanimous consent of all the members of the entire Church, or even of all the members of the part proposed to be separated, would be to deny the power of division by any mode of action, since it would subject it to an impossible condition.

And although one or more Annual Conferences might be incompetent, by their separate action, to bind to an independent organization the local societies connected with them, we are satisfied that the joint and coöperative action of the General Conference and the several Annual Conferences concerned was fully competent to determine the question and fix the limit of separation, and to establish over the several societies within those limits the jurisdiction of the new organization.

In determining upon the legality of the actual state of things consequent upon a great movement of this character, every part of the proceedings should be liberally construed to effectuate the apparent and reasonable intention of the parties, and there is no room for technicality. Then it is apparent upon the face of the resolutions that there is but one condition upon which the separation and the sanction of the General Conference are to depend, which is *that the Annual Conferences in the slaveholding States should find it necessary to erect an independent ecclesiastical Connection*, etc. The distribution of the Book and Chartered Fund is obviously intended to be a *consequence* and not a *condition* on which it is to depend. And the reference to the several Annual Conferences for a modification of the re-

strictive rule was evidently for the purpose of authorizing *the intended distribution*, and not of authorizing *the separation*. The slaveholding Conferences, referred to in the first resolution, are such as were wholly in the slaveholding States. And the delegates from all these Conferences, assembled in convention, having declared the necessity of separation and erected an independent ecclesiastical Connection, the prescribed condition has been complied with.

As to the actual necessity for separation—that is, the existence of such a state of things as justified it or rendered it proper—this, if it could ever have been a judicial question, is no longer so. It has been decided by the concurring judgment of the General Conference and the Southern or slaveholding Conferences, to which it was referred, and by the fact itself of an actual separation by agreement between the whole and the separating part, which is presumptively the strongest evidence of a high expediency, amounting to necessity.

But the separation having, as we have seen, been effected by competent powers in the Church, and under the condition and in pursuance of the plan prescribed by the General Conference, its legality, in view of the civil tribunal, can be in no degree dependent upon the sufficiency in point of discretion or policy of the causes which led to it. It is sufficient that the Church, through its competent agents, has authorized the separate organization and independent self-government of the Southern Conferences, and that they have so acted under the authority as to clothe their movement with the sanction of the Church. This being so, *the Southern Church stands not as a seceding or schismatic body*, breaking off violently or illegally from the original Church, and carrying with it such numbers and such rights only as it may succeed in abstracting from the other, but *as a lawful ecclesiastical body, erected by the authority of the entire Church, with plenary jurisdiction over a designated portion of the original Association*, recognized by that Church as its proper successor and representative within its limits, commended as such to the confidence and obedience of all the members within those limits, and declared to be worthy of occupying toward them the place of the original Methodist Episcopal Church, and of taking its name. Such, though not the express language, is the plain and necessary import of the resolutions

in authorizing the formation of a Southern ecclesiastical Connection or Church, and prescribing a rule for ascertaining its limits, in leaving to the unmolested care of the anticipated Southern Church all the Societies, etc., within its limits, and stipulating that within these limits no new ones shall be organized under the authority of the Methodist Episcopal Church, in declaring that ministers may take their place in the Southern Connection without blame, and in denominating the Southern Church "the Church, South." The provision made for a ratable distribution of the funds of the Church, and the relinquishment of all claim to the preaching houses, etc., within the limits of the Southern Connection, are of a similar character with the other features of the resolutions, and attest the equity and the magnanimity of the late General Conference. That body had, however, no proprietary interest in the preaching houses, and could only transfer its jurisdiction over them, which is done by the resolutions and the proceedings under them.

The result is that the original Methodist Episcopal Church *has been authoritatively divided into two Methodist Episcopal Churches*, the one north and the other south of the common boundary line, which, according to the "Plan of Separation," limits the extent and jurisdiction of each; that each, within its own limits, is the lawful successor and representative of the original Church, possessing all its jurisdiction and entitled to its name; that neither has any more right to exceed those limits than the other; that the Southern Church, retaining the same faith, doctrine, and Discipline, and assuming the same organization and name as the original Church, is not only a Methodist Episcopal Church, but is, in fact, to the South the Methodist Episcopal Church as truly as the other Church is so to the North, and is not the less so by the addition of the word "South" to designate its locality. *The other Church, being by the plan of division, as certainly confined to the north as this Church is to the south of the dividing line; is as truly the "Church North" as the Southern Church is the "Church South."* The difference in name makes no difference in character or authority.

We call the special attention of the reader to the sentences which we have placed in *Italic* letters. Every principle for which we have contended is

here declared by the Supreme Court of the State of Kentucky to be sound in logic, and the Southern position is fully vindicated by the highest civil authority in that State.

This decision of the State Court related to the question of a local property, and while it certainly decided the issue, so far as the jurisdiction of the court was concerned, it could have only a moral effect upon the main question. How could the Southern Church secure her portion of the common property of the whole Connection? The General Conference of 1848 forced this issue to be decided by the highest judicial authority in the United States, and it was so decided. The commissioners on the part of the South brought suit in the Circuit Court of the United States for the Southern District of New York. Hon. D. Lord, Hon. Reverdy Johnson, and Mr. Johnson, Jr., were the attorneys for the South. Mr. Choate, of Massachusetts, and E. L. Fanchon, of New York, were attorneys for the North. After an argument of two days' duration, in which the whole case was presented with remarkable ability upon both sides, the presiding judges, Nelson and Betts, agreed upon the following advice, which was delivered by Judge Nelson, after conference with his colleague:

Some time will probably elapse before the court will be able to take up this case and give it the examination which it will deserve and require at our hands, preparatory to a decision in the case. Our term business is pressing upon us, and, so far as I myself am concerned, I shall be compelled very soon after I leave this court to go into another, where I shall be engaged

until midsummer. My associate, I have no doubt, will be equally pressed in his particular department. Some time will necessarily elapse before we shall be in a condition to go into a consultation and examination of the case preparatory to a final decision. In the meantime we cannot resist the desire to express our concurrence in the suggestions that have been made by the learned counsel on both sides, that it would be much better for the interests of this Church, for the interests of all concerned, if, after a full and fair investigation, both of the facts and the law of the case, the parties could amicably take it up, and, by the aid of friends and counsel, come to an amicable decision of the controversy. In the meantime, before the case is finally taken up and disposed of by the court, we cannot entertain any doubt that, after the full and fair investigation that has taken place of the controversy before us, whatever may be our final decision in the case, whether upon the one side or the other, an amicable, friendly adjustment of the controversy will be, and must necessarily be, more satisfactory to all parties concerned, and that the good feeling and Christian fellowship of the different sections of the Church will be much better by an amicable and friendly adjustment of this controversy than by any legal disposition of it by the court.

We may also add, perhaps, that whatever may be, or may have been, the doubts entertained by the parties, or by their learned counsel, as it respects the power of the agents who have charge of the subject-matter of the controversy to make a final and legal disposition of this unfortunate controversy, there can probably be no reasonable doubt but that an amicable and equitable and honest adjustment made by the representatives of the different branches of the Church with the aid of their counsel, sanctioned by the court, would be a binding and valid and final disposition of the whole controversy.

We have deemed it our duty to make these observations at the close of the argument, not only from the fact there will be necessarily some delay in the decision of the case, but in response to, and in sympathy with, the suggestions made by the learned counsel on both sides. (Church Property Case, p. 367.)

What effect this advice may have had upon the Northern party, we are not able to say. It was a

very distinct intimation of the opinion of the court; and if it did not produce the desired effect, it was not the fault of the judges, for their decision was foreshadowed with sufficient clearness.

The ultimate result was the issuance of a decree in favor of the South. "On the 26th of November, 1851," says Dr. A. H. Redford, in his "History of the Organization of the Methodist Episcopal Church, South," "the United States Circuit Court for the Southern District of New York caused the decree to be entered, ordering to be transferred to the Agents of the Methodist Episcopal Church, South, their *proportion* of the property of the New York Book Concern, including both capital and property, and the clerk of the court was instructed to ascertain the amount and value of the property."

Any reasonable person would suppose that this decision was enough to settle the whole matter. So far from this being the case, however, the South was compelled to bring suit for her share of the Book Concern in Cincinnati. This suit was decided in Columbus, O., in the United States Circuit Court for the District of Ohio, Judge Leavitt presiding. In this court a decision was rendered in favor of the North, and the South appealed to the Supreme Court of the United States, sitting in Washington City.

Chief Justice Taney, Associate Justices Wayne, Catron, Daniel, Nelson, Greer, Curtis, and Campbell were on the bench. Justice McLean, a Meth-

odist and a man of unimpeachable integrity, did not sit upon the case. His opinion was known to be favorable to the Southern claims, but motives of delicacy caused him to retire from the bench during the trial.

On the 25th of April, 1854, Judge Nelson delivered the decision of the court. There was no dissenting opinion, and the unanimous voice of the highest tribunal in the nation was given in vindication of the cause of the Southern Church.

After a luminous statement of the whole question, the court said:

Without pursuing the case farther, our conclusion is that the complainants, and those they represent, are entitled to their share of the property in the Book Concern. And the proper decree will be entered to carry this decision into effect.

The points decided by this court are so clearly stated that we copy them in full:

WILLIAM A. SMITH and others vs. LEROY SWORMSTEDT and others. (16 H. 288.)

Upon a bill in equity by several traveling preachers of the Methodist Episcopal Church, South, in behalf of themselves and other traveling preachers of that organization, *held*

1. That as numerous parties had a common interest in the fund in controversy, a few might sue, representing the others.

2. That the General Conference, in 1844, had power to consent to the division of the Methodist Episcopal Church into two bodies, and that the separation was not a secession of a part of the traveling preachers from that Church, but a division, in pursuance of proper authority.

3. That this division carried with it, as a matter of law, a division of the common property which belonged to the traveling preachers, as such.

4. That the removal of the sixth restrictive article was not a condition to the enjoyment by the Church, South, of its share

of the common fund, but to enable the General Conference to make the division.

5. That as the complainants not only represent the other traveling preachers, South, but the "Book Concern" there, the share of the fund they thus represent may properly be paid to them.

This was the unanimous opinion of the Supreme Court of the United States, in 1854, against which we have the solemn judgment of Dr. Crooks in 1891, affirming that it was a secession, a schism in 1844, and not a division!

The unenviable position of the biographer of Bishop Simpson may be necessary to the fulfillment of the task allotted to him, but the attitude is a very disagreeable one. To antagonize three millions and a half of Methodists in the South on a *moral* question, and to contradict the Supreme Court of the United States on a *legal* question assuredly exhibits an amount of courage worthy of a better cause.

Nevertheless the North was compelled to divide the common property, and Dr. Redford informs us that from these several sources we received over three hundred thousand dollars. From New York, $191,000; from Cincinnati, $93,000; and from the Chartered Fund $17,712.95.

After ten years of desperate endeavors, truth and righteousness prevailed over the combined influences that were arrayed against them.

# CHAPTER XII.

## Statistics of the Churches.

We leave it to our readers to determine the question whether the proceedings of the General Conference of 1844 or those of 1848 most nearly resembled a "rehearsal" of the events transpiring between 1861 and 1865. The body that endeavored to cut the legal ground from the *status* of the Southern Church, thereby subjecting Southern property to confiscation at the mere mercy of individual claimants, seems to be well represented by the Episcopal camp followers that were ready to enter in and take possession of our property wherever the fortunes of war captured a coveted bit of territory. Points of analogy spring into apposite places on the bare mention of the presence of Bishop Simpson himself, exulting over the misfortunes of his former friends and associates, and benevolently assuming the responsibility of guardian in chief or administrator paramount upon all the effects of Southern Methodism. But these remembrances must give place to more profitable reminders of the grace of God bestowed upon the Churches of our "Sunny South."

By every token that a gracious Providence could bestow upon us, the Methodist Episcopal Church,

South, has experienced the favor of God in the most rapid growth that has been known in the United States. Beginning in 1844, by a final settlement of the vexed questions that grew out of the institution of African slavery, the Southern Methodist Church has pursued her religious calling without the slightest interruption of internal peace and quietude. Her growth from 1844 to the present time verifies once more the aphorism of the illustrious Wesley: "The best of all is, *God is with us.*" We have had many foes, some false friends, and slanderers and defamers without number, but God has enlarged our borders, and to-day there is no portion of the globe in which Wesleyan Methodism has a firmer hold, occupies a larger sphere of influence in society, or combines greater instrumentalities for development and progress than our Church possesses in these Southern States of the American Union.

In 1845 the combined Church had 1,152,167 communicants. The North retained 689,316, and the South 462,851. Of the combined membership, 150,120 were colored people, bond and free. The South received 124,811 colored members, and 2,978 Indian members. We are unable to ascertain the growth of the colored membership in the Church (North), for one of the immediate consequences of the division of the Church was the removal of the special column of "colored" members from the Northern Minutes. No member of that Church can do more than "estimate" the

number of negroes in the Church (North). But the significant fact appears that the organization of the Southern Church was followed by a great enlargement of the work among the Southern negroes. Starting out with 124,811 in 1845, in 1860 there were 207,766 colored members, an increase of 66.45 per cent. in fifteen years, being a much greater increase than that of the white membership in either the Church, South, or the Church (North).

Whatever inference may be drawn from the fact, we are prepared to prove that *the number of Southern slaves professing religion and belonging to the Church was greater, in proportion to population, than the number of white people in all Churches, Protestant and Catholic, in the Northern States of the Union.* Can any thing like this be said of any peasant population on the globe? Let it be remembered, too, that the 207,766 colored members were under the pastoral care of *white* pastors. Every Methodist preacher whose ministry was exercised before the war was in part a pastor of negro members, and many of them, the writer included, gave a special service every Sabbath to the slaves. Their religious life and culture formed an integral part of the duties of every Southern Methodist preacher. Two of our bishops—one our senior bishop, now living, and one but a little while ago translated to the eternal rest—were for the greater part of their ministry special pastors of slaves. Nor was this a work of drudgery, but one

of peculiar delight and profit to the pastor. The heart of the writer grows warmer when he remembers the scenes witnessed in those days—master and servant communing at the same table, and from the same cup of blessing, and both full of "the joy that is inexpressible and full of glory!"

But if we measure the progress of the two Churches by the statistics alone, there appears to be but a slight difference between them up to 1860. From 689,316 in 1845, the North grew to 994,447 in 1860, being an increase of 44.26 in fifteen years. From 462,851 in 1845, the South numbered 674,-103 in 1860, an increase of 45.64.

The war period was one of great disaster to all interests of the South, and not the least important was the effect upon the membership of the Church. Notwithstanding the fact that the four years from 1861 to 1865 witnessed the most remarkable revival of religion that this country has ever seen, the subjects of grace were largely in the army, and thousands of them had their names recorded only in the Lamb's book of life. On the Church registers their names were never placed. The Southern armies were composed of the bone and sinew of our society, and hence the record of a battle diminished every Church register within the immense territories of the South.

In 1866, with the addition of 12,000 members who came to us from the old Baltimore Conference, we had only 419,464 white lay members, or 425,658, preachers—itinerant and local—included. There

remained to us 78,742 colored members, but insidious influences were at work among the negroes. They were induced to regard their old masters as their enemies, and a new set of masters took possession of them. The negro's duty, in his changed relation, was to aid every instrumentality that could destroy the Southern Church. Hence, in two years' time, our negro members dwindled down to 32,085, and two years after that, in 1870, a colored Church was formed, styled: "The Colored Methodist Episcopal Church in America." This Church was organized by the Southern Methodist Church, our bishops ordaining the first colored bishops, and thus we have practiced upon the common sense principle which we advocated in 1844.

It has happened that, in calculating our progress, those who never fail to do us an injustice, if they can, uniformly hold us responsible in our statistics for the 78,742 colored members of 1866. Our only answer to this is that we set apart all of our colored members in 1870, and they have now grown to 165,000, as nearly as we can ascertain their figures. But, as they did not form a permanent part of the Church, South, we shall not consider them in the record of statistics. There are now a little over 500 colored members in our Church. These are chiefly sextons or favorites of old families, who are loyal to the truth and the memories of olden times.

Immediately after the war closed, notwithstanding the gloom and dejection in the political skies,

the Southern Church was aroused to wonderful energy and progress. From 426,359 in 1866 we had grown to 512,984, Indians included, in 1868, an increase of 20.31 per cent. in two years. From that time to the present the Southern Methodist Church has increased nearly twice as fast as the ratio of increase in the population. What that means the well-informed statistician cannot fail to understand.

A comparison of the two Churches from 1868 to 1890 will be instructive. Let us examine the territory that the General Conference of 1848 contended for, in which they affirmed that great wrongs were perpetrated upon multitudes of people who desired to retain their membership in the Church (North). In Arkansas, Kentucky, West Virginia, and Missouri the Church (North) had 33,671 members in 1860. In the same territory the Church, South, had 145,828 members. Outside of West Virginia, where the Church (North) claimed possession under the "Plan of Separation," in fifteen years of hard labor the Church (North) had gained only 11,308, while we had 133,165 members in the same field.

The war opened the door for the Church (North) in every Southern State. Under the protection of the flag, the work began, but the Southern people had no disposition to interfere with men who simply desired to preach the gospel of Christ. With almost unlimited means, and every advantage that triumphant armies could bestow upon a conquering

Church, the Northern "missionaries" have compassed the land. Multitudes of negroes have swelled their Church registers, and the growth of their membership from 1860 to 1868 was very great.

From 994,447 in 1860, the Church (North) grew to 1,263,586 in 1868, being 27.37 per cent. in eight years. We select this year, 1868, as the period best adapted to our purpose as a beginning point of comparison. The growth of the Church, South, in *two* years, from 1866 to 1868, as we have seen, was 20.31 per cent.

From 1,263,596 in 1868, the Church (North) has grown to 2,296,881 in 1890, an increase of 81.76 per cent. in twenty-two years. In 1868, the Church, South, had 512,984 members, including Indians, and in 1890 we had 1,218,027, including Indian and excluding negro members in both dates. Here there is an increase of 137.43 per cent. in twenty-two years, an excess of 55.67 per cent. in favor of the Church, South!

In these figures we have made no reference to the thousands of members in the missionary fields of either Church. The Church (North) has a large membership in Europe, where we have no members, and the mission fields of our Church are quite small, although growing, with good prospects of increase hereafter.

# CHAPTER XIII.

## The Future of Episcopal Methodism.

What shall be said about organic union? We are prepared to give our reasons for the permanence of the present *status* of the Church, South.

1. Organic union would form a Church of 3,515,442 members at this time. Without reference to the argument that such a body, under one jurisdiction, would be a fearful element in the party politics of the time, we have many reasons for refusing to form such a union. We have no great estimate of the *political* argument, as the divisions that now exist would still have their influence in the reunited Church. The ambition of individuals could not control the manhood of American citizens, either North or South.

2. But there is an argument in the magnitude of numbers, which renders representation almost impossible. Methodism knows but one lawmaking body, the General Conference. Under the restraints of a specific Constitution, the General Conference has power to legislate for the good of the Church. Beginning at one to five, representation has dwindled down to one delegate for forty-five members of the Annual Conferences in the Church (North), and one to thirty-six members of the Annual Conferences in the Church, South. At

the former, the least ratio, one in forty-five, there would probably be eight hundred members of a General Conference of the united Church meeting in 1896. One-half of that number is scarcely manageable, and scarcely possible, as a *deliberating* body. Thus the ratio would be reduced to one in *ninety* members, equivalent to no representation at all. Fundamental to our system, we do not see that any modification of the law of representation can be devised, by which the great ends of a Church organization can be attained.

3. There are many reasons why the Church, South, should remain independent. There seems to be a constitutional infirmity somewhere that renders it impossible for the two sections to view the same facts in the same way. As *we* see the past, *there is no possible guarantee that can be given us, whereby we can be secured against the repetition of the evils that divided the Church in 1844*, and involved us in a long, unprofitable controversy, in which neither side was likely to see the argument of the other.

4. We of the Church, South, are as nearly unanimous to-day as we were in 1844. We desire no prosperity that is purchased at the expense of our brethren in any section, but we claim to be the best judges as to the wants, the needs, and the prospects of our own people. We antagonize no party, no section, no great interest, by demanding the permanent possession of that which is our own by the gift of Providence. Rejoicing in the ad-

vancement of the Church (North) in all legitimate enterprises, we are content to allow the experiment of "disintegration and absorption" to go on, as it has been begun, feeling confident of the future, as we have been gratefully satisfied with the past.

5. We are ready for the closest relations involved in any federal system that does not interfere with the jurisdiction of our General Conference. To us, alone, the question of representation is assuming grave importance; for, inasmuch as we have doubled our membership inside of sixteen years, a like period of prosperity might produce an unwieldy General Conference, and serious blunders might result from immature legislation, or hasty measures adopted under the glamour of enthusiastic advocates.

6. Speaking as an individual, the writer would prefer to see four grand divisions of Episcopal Methodism in America, the Eastern, Southern, Western and the Colored General Conferences, the whole Church bound together by an advisory Council, representing Conference districts, and limited to the discussion of interests common to all, without authority over any. Such a federation we believe to be feasible and desirable.

7. While we have the kindest feeling for every branch of the great Methodist family, we must approximate nearest to the Church (North) because of our system of government, and we think that there is no reason why an itinerant preacher should

not be transferred from one section to the other, under agreement of the bishops of both Churches, without submitting to the degrading process of withdrawing from one Church in order to join the other. The perfect independence of each Church is compatible with an arrangement by which, as an act of comity, mutual and reciprocal, such transfers could be made whenever demanded.

8. But, for the present, and as far into the future as it has been given us to see, the interests and welfare of our Southern Methodism imperatively demand the jurisdictional independence of the Methodist Episcopal Church, South.

---

### THE LAST WORD.

The subject of the organic union of all the Episcopal Methodist bodies possesses a charm for many persons. But there are so many difficulties in the way of such a consummation, that it is useless to discuss the question in any proposition that looks to the absorption of ecclesiastical government under one General Conference jurisdiction.

There is, however,

### A MORE EXCELLENT WAY.

Let there be one Methodist "Episcopal Church in America," under *four* General Conference jurisdictions: 1. The Methodist Episcopal Church, North, comprising New England and the Central States to the Mississippi River. 2. The Metho-

dist Episcopal Church, South, comprising the territory of the slaveholding States as they existed in 1860, or, if preferred, the boundary established by the "Plan of Separation" in 1844. 3. The Methodist Episcopal Church, West, comprising all the territory west of the Mississippi River and north of the Southern boundary. 4. The Colored Methodist Episcopal Church, comprising: (1) the African Methodist Episcopal Church (Bethel); (2) the African Methodist Episcopal Church (Zion); and (3) the Colored Methodist Episcopal Church in America. These four divisions would be held in one Church organization by the *nexus* of a Methodist Church Council, meeting once in four years, and in the year succeeding one of the General Conferences, so that there would be no conflict as to the time of meeting, the Council and the Conference having its membership probably in the same persons. Let each General Conference jurisdiction be divided into Council Districts, with one or two, probably two, a layman and a minister, from each district, and the membership of the Council confined to fifty or sixty persons. The General Conference of each jurisdiction to elect the members of the council. This council to have no *legislative* or *judicial* functions, but to be an advisory body only, considering such subjects as appertain to the general welfare of the Church. The name or title of the Church to be in common, and a common law of transfer of preachers from one jurisdiction to another, without blame or prej-

udice and subject only to the appointing power dismissing and receiving.

In such a division of the jurisdictional powers of the four General Conferences there need be no structural or internal change in any one section of the Church, and any modification, alteration, or addition which may appear desirable, and may not be chosen in another, if adopted by any one will in nowise change, abridge, or injuriously affect the rights of any other. Territorial sovereignty would inhere in the General Conference, and one General Conference could have no *legislative* authority over another.

This plan would make us one Church, with more than four and a half millions of communicants at the present time, each branch numbering nearly the membership of the Southern Church in 1890, and with room provided for fourfold expansion.

The partition of territory and members would be met with objections, more or less vigorous, according to circumstances. But there need be no violent displacements. Natural laws could safely be left to work changes of adaptation, and the institutions of learning or other enterprises now under the care of the Church (North) could be continued until such time as all parties were ready for a transfer to the Church, South. The Southern States are poor, the Northern States rich, but the balance of wealth will not always remain North. Nature has made the South the richest section of

the Union, and as there is no longer a question about the reality of this natural wealth, the progress of the South will be more rapid in the next ten years than ever before. The soils worn out will be redeemed, the manufacture of cotton will be chiefly in the sight of the cotton fields, and more than half of the product of iron mines in America will come from the South. Temperature, soil, minerals (great facts of nature) will overrule all other considerations, and the homogeneous character of our population will render every step taken in advance a permanent step providing for another.

FINIS.

LIBRARY OF CONGRESS
0 022 010 531 3